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THE COMMONWEALTH AND PROTECTORATE

VOL. II.

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OF

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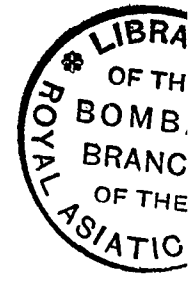
PROTECTORATE

1649—1660



BY

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VOL. II.

1651—1654

77. m. 11

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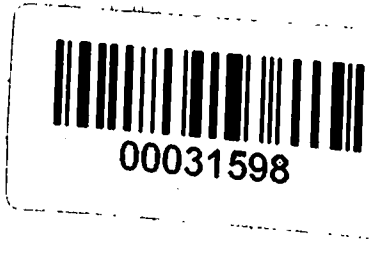

PREFACE.

In preparing this volume for the press, I have not only once more to express my constant obligations to Mr. Firth for his advice on many doubtful points, but have also to thank him for the loan of the manuscript of his forthcoming volume, which the *Scottish History Society* is about to publish under the title of *Scotland and the Protectorate*. Under these circumstances, it has been impossible to refer to the documents by page, but any one wishing to consult them at once will find those emanating from a royalist source amongst the *Clarendon MSS.* in the Bodleian Library, whilst those from the English Commanders are amongst the *Clarke MSS.* at Worcester College.

It will be seen that one of my most arduous tasks has been the reconstruction of the involved diplomacy of Cromwell at the time when he was hesitating between France and Spain. The French view of the negotiation can be fairly recovered from the despatches in the *Archives des Affaires Étrangères* at Paris, of which transcripts are to be found at the Record Office. The Archives at Simancas, though containing many valuable documents, some of which were published many years ago by M. Guizot, are unfortunately very defective. To a great extent the loss has been made up by the generosity of the late Duke of

Aumâle, who presented me with transcripts of the despatches of Condé's agent Barrière, preserved in his own archives. As Barrière was working in conjunction with the Spanish ambassador Cardenas, he reveals much of the actions of that diplomatist which, as far as I am aware, could be learnt from no other source. Ultimately the precious volume will be given over to the British Museum, as a posthumous gift from his Royal Highness.

It is with the greatest diffidence that I have told the story of the first Dutch War, especially as in many important respects my account of the actions fought differs from that of previous writers, whose qualifications to deal with naval matters are far superior to my own. A very little study of previous narratives of the war was, however, sufficient to convince me that, in the entire absence of any critical study of the original evidence, statements had been accepted based either on forgeries of the seventeenth century, or upon the views taken in the eighteenth century by writers whose knowledge could only be at second or third hand. Whatever, therefore, may be the value of my deductions, I may claim to be the first to attempt to establish the facts on which all deductions must be based, and I can only hope that a landlubber who has examined the evidence may sometimes be right, where an admiral who takes everything for granted may be wrong. On every point I have been able to discuss difficulties with Professor Laughton, whose generous and unwearied help I acknowledge the more gratefully, as some of the conclusions to which I have come—notably as re-

gards the Battle off Dungeness—are opposed to those which he has himself put forward.

I must, however, after an examination of the Journal of Vice-Admiral Evertsen, withdraw my suggestion that Tromp anchored outside the Varne or Rip-raps, the night before that battle, and revert to a view of the case which I had formerly discarded. Blake's movement westward 'to clear the Rip-raps' is, I now think, to be explained by his intention to charge before the wind into the midst of the enemy after the usual fashion. If he did so at once from the neighbourhood of Dover, he would find himself, when the manœuvre was completed, near the shoal with the danger of drifting on it, or, if that were avoided, of finding it hard to regain the wind. I hope before very long to publish for the *Navy Records Society* this Journal with many other documents relating to this war, now in the Archives of the Hague, as well as others from the English side.

I gladly take the opportunity of drawing attention to a mistake which has been rectified in the second edition of my first volume, but which is not likely to have been noticed by readers of the first edition. At p. 339 I ascribed to the action of French privateers the injury to English commerce which was the origin of the war of reprisals against French ships, and indirectly—to a great extent—of the Dutch War. I had failed to notice the Remonstrance of the Levant Company presented early in 1649 to the Council of State (*S. P. Dom.* i. 10), from which it appears that the aggressors were the French Fleet. If this means—as it appears to do—the fleet of the

French Royal Navy, much that was hitherto dark becomes intelligible. We can understand, for instance, why Blake attacked the King's ships going to the relief of Dunkirk in September, 1652; and why Cromwell persistently refused to treat the questions raised by the reprisals as merely a quarrel between merchants, and demanded satisfaction from the French Government, irrespective of any mere balancing of gain and loss by the ship-owners of the two countries.

Moreover, since the present volume was printed off I have noticed that Bernardi, the Duke of Savoy's resident in England, in a despatch of $\frac{\text{April } 25}{\text{May } 5}$, 1653, published by Signor Prayer (*Atti della Società Ligure di Storia Patria*, xvi) states that, on the morning of dissolution of the Long Parliament, Cromwell entered the House 'mentre stavasi per metter a voto la revocatione della patente di detto Generalissimo, et poi di agiornare il Parlamento sino a S. Michele.' The remainder of Bernardi's story does not agree in details with that told by eye-witnesses, and he cannot be absolutely depended on here. Nevertheless, his words are sufficiently in accordance with what I have stated at pages 201, 202 to be worth noting. In another despatch of August $\frac{14}{24}$, 1654, Bernardi refers to the story of the King of Spain's two eyes, thus increasing the probability that Oliver's conversation with Cardenas took place in the first fortnight in August, probably in the second week. See p. 473, note 1. I would add that the Dr. More mentioned at p. 422 is probably the object of Milton's sarcasms, Alexander Morus.

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Errata.

P. 198, line 2, after 'establish' read 'in the counties.'

P. 473, Note 1, line 4, for 'September 3' read 'September 4.'

Ib., line 5, for 'of Sept. $\frac{3}{3}$' read 'dated Sept. $\frac{3}{3}$ in the transcript at the Record Office, but obviously not written earlier than Sept. $\frac{4}{4}$.'

THE COMMONWEALTH AND PROTECTORATE.

CHAPTER XVIII.

PROJECTS OF REFORM.

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Though Cromwell had acquiesced in the decision of Parliament to prolong its own existence, he could not fail to be dissatisfied with the result. He had learnt enough of the cross currents of personal interest in which not a few of its members were involved to render him impatient of the existing system of government, and to rouse in him a hankering after somewhat of the directness of the old monarchy. He accordingly summoned a conference of the leading officers and the more prominent lawyers in Parliament to discuss the future constitution of the Republic at the Speaker's house.[1]

Dec. Cromwell dissatisfied with Parliament.

On December 10, Cromwell opened the proceedings by a request for advice upon the settlement of the nation. The lawyers, regarding with suspicion the arbitrary power of a single house, urged that without

Dec. 10. A conference at the Speaker's house.

[1] *Whitelocke*, 516, where the conference is spoken of as one between officers and members of Parliament. Only lawyers, however, spoke for the latter class, and it is therefore probable that no other members were invited.

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some admixture of monarchy law and liberty would be endangered. One of their number, Sir Thomas Widdrington, suggested that the young Duke of Gloucester might be placed on the throne. The officers, on the other hand, pleaded for the maintenance of the Commonwealth as the only available guarantee of civil and religious freedom. Cromwell listened patiently till Whitelocke talked of fixing a day on which either the eldest or the second son of the late King might 'come in and accept the government, if it could be done with safety and preservation' of the rights of Englishmen. "That," replied Cromwell, oracularly, "will be a business of more than ordinary difficulty; but really I think, if it may be done with safety and preservation of our rights both as Englishmen and Christians, that a settlement of somewhat of a monarchical power in it would be very effectual."

Cromwell favours constitutional monarchy.

His probable motives.

Whitelocke had urged the necessity of safeguarding the rights of Englishmen as Englishmen. Cromwell would protect them in their capacity of Christians as well. As Cromwell understood Christianity, therefore, he must have regarded it as hopeless to negotiate with Charles or James. Whether he regarded it as equally hopeless to negotiate with the Duke of Gloucester it is impossible to say; but it is likely enough that his thoughts were beginning to crystallise round the notion of reconciling monarchy and commonwealth by entrusting some undefined measure of executive power to a 'single person' not of Stuart blood. He would have been unlike himself if this idea had at once assumed definite proportions in his mind; but it can hardly have failed to occur to him that, if such a post were to be created, it could be occupied by himself alone. His admirers and flatterers filled in the blank, and representations were at

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this time made to influential officers that the title of king might be revived in his favour.[1]

Tendency in favour of strengthening the Government.

The tendency thus revealed was by no means confined to Cromwell and his supporters. During the last half-century political thought—always in antagonism to existing forms of misgovernment—had been running in the direction of the establishment either of Parliamentary authority or of individual right. The effort to establish Parliamentary authority had bowed England under the power of the sword, and the effort to establish individual right had split the Church into a hundred sects. In most of those to whom such a state of affairs was shocking, and who craved for the restitution of peaceful order, there was a revulsion of feeling in favour of the old monarchy. It was reserved for a stern and masculine thinker, Thomas Hobbes, to lead the way towards the same end by another path. In his *Leviathan*, which appeared in the spring of 1651,[2] Hobbes distinctly broke with the past, and no less distinctly opened the gates to discussion on new lines.

April. Hobbes's *Leviathan*.

His political scheme.

Discarding the views which would base the State either upon traditional custom re-enforced by Divine right, or upon shifting Parliamentary majorities, he sought to found it on the Roman law of contract, urging that, as some power or other must be supreme, it was alike the duty and the interest of every nation to submit to that authority which they had once contracted to obey. The one evil pre-eminently to be avoided being social combat, obedience was in every case to be preferred to any act which threatened to produce so mischievous a result. It was consequently for the Government

[1] Lilburne's *Apologetical Narrative*, p. 20, E. 659, 30.

[2] Its Dedication is dated April $\frac{15}{25}$.

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to decide without appeal, not only what laws were to be enforced in civil affairs, but what religious worship should be tolerated. One liberty alone remained to the individual, the liberty which no human power can ever take from him, that of thinking his own thoughts, provided that he did not attempt to express them in action contrary to the will of the State.

Scientific and historical importance of the book.

The student of political science may point out that, whilst Hobbes did good service in drawing attention to the omnipotence of the State over human action so long as it is able to put to death those who contravene its laws, the conditions which govern the rise and fall of governments are far more subtle than those of which he took account, and that he attached undue importance to the evils accompanying resistance to authority. The historian is mainly interested in the *Leviathan* as a sign of reaction against prevailing beliefs, and will especially note that whilst in theory Hobbes was wedded to no particular form of government, and admitted that State authority after his pattern could be wielded with equal justification by monarchy, aristocracy, or democracy, he himself remained personally attached to monarchy. Of the many reasons given by him in favour of monarchy, one at least was based on ideas entertained by some of those who were most eager to bring the Long Parliament to a speedy end. "Where the public and private interest are most closely united," he writes, "there is the public most advanced. Now in monarchy the private interest is the same with the public. The riches, power, and honour of a monarch arise only from the riches, strength, and reputation of his subjects; for no king can

Hobbes's preference for monarchy.

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be rich, nor glorious, nor secure, whose subjects are either poor, or contemptible, or too weak through want or depression to maintain a war against their enemies. Whereas, in a democracy or aristocracy, the public prosperity confers not so much to the private fortune of one that is corrupt or ambitious, as doth many times a perfidious advice, a treacherous action, or a civil war." Yet the man who used these words found himself more at home in England than amongst the Royalist exiles on the Continent. His monarchy, dependent on reason rather than on sentiment, was not as theirs. Above all, his Erastian Church was very different from theirs. Branded as an atheist, he thought it prudent to seek shelter in his own country.

1652 Feb. 20. Winstanley's *Law of Freedom.*

Even the Utopias of the day were making against individual liberty. In February 1652 Gerard Winstanley, the most thoughtful of the Diggers who had attempted to establish community of landed property on St. George's Hill,[1] dedicated to Cromwell a pamphlet entitled *The Law of Freedom in a Platform.* Of Cromwell's power to carry out any scheme upon which he had set his heart, Winstanley entertained no doubt. "God hath honoured you," were the opening words of his dedication, "with the highest honour of any man since Moses' time, to be the head of a people who have cast off the oppressing Pharaoh." The scheme which he recommended, however, was nothing less than a social revolution. Not only kings, but lords of the manor, lawyers, landlords, and a tithe-supported clergy were to vanish from the face of the country. In the place of the existing life of competition, was to be established a collectivist society, in which

[1] See vol. i. 74.

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all worked under the superintendence of elected overseers for the good of all. No money was to be tolerated in this strange commonwealth; and the death penalty was reserved for two crimes, murder on the one hand and buying and selling on the other.[1]

1650. Cromwell and Lilburne.

Winstanley's socialist effusion was too far removed from the actual world to move Cromwell either to approval or indignation. It was otherwise with Lilburne and the political Levellers. For some time, indeed, Cromwell and Lilburne appeared to be on the best of terms. In 1650, before setting out for Scotland, Cromwell had intervened on Lilburne's behalf, and had procured a settlement of his claim to compensation for his sufferings in the Star Chamber. Lilburne, responsive as usual to personal kindness, accompanied his old antagonist some little way on his progress towards the North, supped with him at Ware, and embraced him when they parted on the following morning. Before taking leave, Lilburne had extracted from Cromwell a promise that 'he would put forth all his power and interest that he had in the world to make England enjoy the real fruit of all the the army's promises and declarations.' In Lilburne's eyes the real fruit consisted in the establishment of 'successive parliaments

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equally chosen by the people.'[2] That Cromwell upon his return had done his best to fulfil his promise must have been known to Lilburne; and in the course of December 1651 there was again a long and friendly conversation between the two men, in which the

[1] Winstanley's *Law of Freedom*, E, 655, 8. For a further examination of Winstanley's book, and for the whole history of the levelling movement, see Bernstein's 'Kommunistische und demokratisch-socialistische Strömungen der Englischen Revolution,' in *Geschichte des Socialismus* (Stuttgart, 1895), I. ii. 507.

[2] *Apologetical Narrative*, p. 13, E, 659, 30.

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Lord-General gave assurance of having forgotten all former causes of quarrel.[1]

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Lilburne as a redresser of grievances.

Lilburne would have changed his nature if he had remained long without giving fresh provocation. During Cromwell's absence in Scotland he had employed himself, apparently to relieve the tedium of political quiescence, in taking up the grievances of various persons who seemed to him to have reasonable ground of complaint against the authorities. Amongst these persons was his uncle, George Lilburne, who shared in the lease of a colliery at Harraton, in the county of Durham, from a certain George Primate. A counter-claim to the interest of Primate was, however, put forward on behalf of Thomas Wray, a recusant and delinquent, whose estate was under sequestration. Assuming this latter claim to be good, the revenue from the mine would accrue to the State, and it was in the name of the State that the county sequestrators seized on the property, being ultimately backed by the general committee for compounding. In July 1651 Lilburne issued a pamphlet in which he not only supported his uncle's claim, but threw the blame of what he regarded as a miscarriage of justice upon Hazlerigg, whom he charged with having used his personal influence to extract an unjust sentence from the committee. Later on he joined Primate in drawing up a petition, which on December 23 was presented to Parliament in the name of the latter. On January 15 Parliament, no doubt delighted at the opportunity of getting rid of a firebrand, took occasion, from the

The Harraton colliery.

July. Lilburne's pamphlet

Dec. 23. Primate's petition.

1652 Jan. 15. Sentence on Primate and Lilburne.

[1] *Ib.* p. 18. Lilburne says that this took place 'about three months ago.' His book is dated April 3, 1652, but it must have taken some time in passing through the press, and the date I have given is therefore most probably right.

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intemperance of the language used in the petition, to treat it as a libel on Hazlerigg, and to impose on the two a fine which, together with the damages, amounted to 7,000*l.* apiece, and in Lilburne's case added a sentence of banishment on pain of death if he ventured to return.[1]

Parliament unfit to act as a judicial tribunal.

It is unnecessary to concern ourselves with the opposing claims to the Harraton colliery.[2] It is enough that it was a public scandal that Parliament should, after the fashion of the abolished Star Chamber, not only assume judicial powers for which it was eminently unfit, but should use those powers to vindicate the character of one of its members, and incidentally to promote its own interest in the retention of the colliery for the State. It is, therefore, the more surprising that, if Lilburne is to be credited, Cromwell not only threw all his weight into the scale against the prisoner, but even prescribed his sentence. It is possible that Lilburne, as was sometimes the case, swallowed greedily unsupported rumours; but it is quite as likely that Cromwell, vexed at the recurrence of turbulence on Lilburne's part, gave vent to passion at the expense of consistency.[3]

Cromwell's part in the sentence.

Feb. 24. The Act of Oblivion.

More satisfactory was the Act of Oblivion [4] passed at Cromwell's instigation on February 24, and declaring a pardon for all treasons and felonies committed before September 3, 1651, the day of the Battle of Worcester. Unfortunately, the exceptions appended to this generous offer took away much of the large-

[1] *C. J.* vii. 71, 72.

[2] The story of the quarrel is told from opposite points of view in *A Just Reproof to Haberdashers' Hall*, E, 638, 12, and in *Lieut.-Col. Lilburne Tried and Cast*, E, 720, 2.

[3] Lilburne represents Cromwell's assurances of friendship as hypocritical. It is, however, difficult to understand why Cromwell should conceal his ill-feeling at the time. It is much more likely that Lilburne's pamphlet was subsequently brought to his notice. [4] *Scobell*, ii. 179.

ness of the concession. As far as the period between the King's execution and the Battle of Worcester was concerned, only such treasons as were committed by words alone were pardoned, treasonable acts being left to the operations of the law. What was perhaps worse, the financial necessities of the Government demanded a fresh crop of sequestrations and confiscations; and though Cromwell attempted, without success, to procure some modification of the conditions meted out to delinquents, he could not venture, even if he had been so inclined, to propose any thorough change in their position. Payment was still required of rents or fines remaining still to be levied in consequence of delinquency incurred even before the King's death. Yet, after all allowances are made, the Act of Oblivion liberated a considerable number of persons from danger of prosecution, and contributed to the widening of the basis of the Commonwealth.

Parliament and law reform.

By its efforts to reform the law Parliament at first appeared likely to win popular support. On January 17 it completed the nomination of twenty-one commissioners—none of them members of the House—to inquire into 'the mischiefs which grow by delays, the chargeableness and irregularities of the proceedings of the law.' That the widespread dissatisfaction felt by laymen might find a voice amongst the commissioners, soldiers like Desborough and headlong reformers like Hugh Peters were to co-operate with masters of legal knowledge like Matthew Hale and practised advocates like John Fountain. Last on the list came the name of Sir Anthony Ashley Cooper, who thus, for the first time since his displacement from military command on the formation of the New Model, took part in public business.[1]

Jan. 17. Commissioners appointed.

[1] *C. J.* vii. 71–74.

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The new commissioners took their appointment seriously. From time to time they recommended Parliament to pass bills with the object of sparing the pockets of litigants by rendering legal procedure less dilatory.[1] Unfortunately for its credit, Parliament turned a deaf ear to these proposals, and month after month passed away without a single one of them being converted into law. The only piece of legal reform achieved during the first half of 1652 was the substitution of fixed salaries for fees and perquisites in the payment of judges. The Act embodying this salutary change was, however, passed on January 23, before the Commission had settled down to its work.[2]

Recommendations of the commissioners neglected by Parliament.

Jan. 23. Judges to be paid by salary.

The inertia against which legal reformers strove in vain within the walls of Parliament was manifested with far better excuse in the jury-box. It is true that old iniquities warranted by custom roused no indignation. A woman who in a fit of passion killed an unfaithful husband was burnt alive in Smithfield,[3] and alleged witches were hanged without mercy. The line was drawn at the new death-penalty for adultery. During the ten years which followed the passing of the Adultery Act in 1650,[4] only one person was sentenced to death at the Middlesex Sessions on this charge, and it is almost certain that the sentence was not carried out. Here and there in other parts of England death-sentences on this score were followed by execution, but, so far as can be judged from the imperfect evidence accessible, these

Verdicts of juries.

The Adultery Act not carried out.

[1] Mr. Inderwick's comments (*The Interregnum*, 205–210) should be read as conveying the approval of a modern lawyer. It appears that of eight draft Acts proposed on March 23, 1652, one became law in 1833, one in 1846, and a third in 1885. So far were these men in advance of their time.

[2] *C. J.* vii. 76.

[3] *The Witch of Wapping*, E, 659, 18.

[4] See vol. i. 286.

cases were exceedingly rare.[1] How little repressive measures affected public morality is evident from the weekly appearance of an unlicensed newspaper, *Mercurius Democritus*, the sole object of which was to retail coarse stories seasoned with the dull jocularity which in those days passed as wit.[2]

The amusements of Puritans.

Zealous as were the leaders of the Commonwealth in the suppression of vice, they displayed but little of that sour austerity with which they have frequently been credited. On his way to Dunbar Cromwell laughed heartily at the sight of one soldier overturning a full cream-tub and slamming it down on the head of another, whilst on his return from Worcester he spent a day hawking in the fields near Aylesbury. "Oliver," we hear, "loved an innocent jest."[3] Music and song were cultivated in his family. If the graver Puritans did not admit what has been called 'promiscuous dancing' into their households, they made no attempt to prohibit it elsewhere. In the spring of 1651 appeared *The English Dancing-Master*,[4] containing rules for country-dances, and the tunes by which they were to be accompanied. In the following November a masque was given in the Middle Temple. The proceedings were opened with the Hundredth Psalm, sung by the Benchers in the Hall, after which these reverend seniors, having drunk a cup of hypocras, retired to their chambers.

[1] See *Middlesex County Records*, by J. C. Jeaffreson, iii. 188–301, and *The Interregnum*, by F. A. Inderwick, 38.

[2] The first number (E, 659, 13) issued on April 8, 1652, is cautious. The true character of the publication appears in the second number, E, 659, 25.

[3] Hodgson's *Memoirs*, 129.

[4] Published on March 19, 1651 (M. K. i. a, 8). It has an attractive frontispiece. A gentleman and lady are preparing to dance, and Cupid is playing a stringed instrument behind them. The gentleman is gaily dressed in the height of fashion, the lady more demurely.

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In their absence the younger members of the society 'began to recreate themselves with civil dancing and had melodious music.' Ladies and persons of quality were present as spectators, though they do not appear to have shared in the display.[1]

Confusion in the Church.

The truth is that with the Independents interference with individual liberty was regarded as exceptional, and it was in part owing to the same feeling that no attempt had been made to provide a remedy for the chaos which prevailed in ecclesiastical appointments. The rights of patrons to present to benefices were still recognised, though where the patrons had been delinquent the right of presentation fell into the hands of the County Committees, which usually made it a condition of their choice that the consent of the parishioners should be obtained, whilst benefices originally conferred by the Crown were left directly to the parishioners.[2] The result was that the clergy were by no means of one way of thinking. Independents, and occasionally Baptists as well as Presbyterians, became rectors or vicars, and impressed their individual views upon the congregations committed to their charge.

Presentations to benefices.

No popular zeal for the revival of the Prayer Book.

Devotion to the worship imposed by Laud and Charles on every parish in the land was, however, hardly to be reckoned as a factor in the popular religious life of the time. Laud's teaching had been addressed to scholars, not to the multitude, and his disciples were now to be found either amongst students expelled from the Universities by the Puritan visitors, or amongst the Royalist country gentle-

[1] *Perfect Passages*, E, 791, 20.

[2] See, for instance, the case of St. Bartholomew Exchange in Freshfield's *Vestry Minute Books* of the parish, pp. viii., xxiv.; and the *Dorset Committee Books* in the possession of Mr. Bankes.

men who traced their defeat and impoverishment to the Puritan Government. Here and there a sturdy disciple of Laud, whose existence had been overlooked in some obscure parish, repeated from memory portions of the Prayer Book in the public service. Here and there, and more especially in Oxford and London, persons to whom the worship of the old type was dear met to celebrate in secret the rites of the Church, but there is no trace whatever of any popular demand for the restoration of the Prayer Book, such as that which in the reign of Edward VI. roused whole districts to clamour for the restoration of the Mass.[1]

The Presbyterian system only partially in force.

Yet, complete as had been the wreck of Laudian episcopacy, there was little chance that the Presbyterian discipline established by the ordinance of 1648 would occupy its vacant place. The new outburst of unrestrained sectarianism combined with the old dislike of clerical interference to strike the weapons out of the hands of any clergyman who imagined himself capable of treading in the footsteps of Knox and

[1] Fox, in his journal, describes at full length the opposition against which he had to contend in every part of England. He was constantly assailed by rude and cruel mobs, but, so far as these were under the influence of any sort of religion, they supported the existing clergy, Presbyterians, Independents, or Baptists. In a conversation held with Dr. Cradock in 1663 Fox complained of being excommunicated for not coming to church. "'Why,' said I, 'ye left us above twenty years ago, when we were but young lads and lasses, to the Presbyterians, Independents, and Baptists, many of whom made spoil of our goods and persecuted us, because we would not follow them. Now we, being but young, knew little then of your principles, and if ye had intended to keep the old men that did know them to you, and your principles alive that we might have known them, ye should either not have fled from us as ye did, or ye should have sent us your epistles, collects, homilies and even-songs; for Paul wrote epistles to the saints though he was in prison. But they and we might have turned Turks or Jews for any collects, homilies, or epistles we had from you all the while.'"

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Melville. Even in Lancashire, where the system obtained the greatest acceptance, it was hampered by the reluctance of parishioners to elect elders and deacons; and after the defeat of Charles at Worcester it was still more hampered by the knowledge of the leading ministers that they had become obnoxious to the Government as supporters of the royal claims.[1] The weakness of the London Presbytery was no less manifest. In an appeal made by the Provincial Assembly early in 1652, fears were expressed of 'the utter dissolution of Presbyterial Government.' The Minutes of the Classes of Manchester, Bury, and Wirksworth tell the same tale.[2] Ordinations and the examinations of candidates for the ministry are frequently mentioned, but it was difficult and often impossible to fill up the elderships, the mainstay of ecclesiastical discipline. Presbyterianism as a clerical system, with its jealous safeguards of learning and character in its ministers, met with no serious opposition. Its jurisdiction over the morals of the laity was an exotic which took no root on English soil.

Effect on the Independent and Baptist churches.

The failure of Presbyterianism drove many thoughtful men into the Independent and Baptist churches, in which discipline was exercised not by ecclesiastical officials recognised by law, but by the spontaneous action of the congregations. Under the Commonwealth this action was supplemented by the

Religious enthusiasts.

burning words of religious enthusiasts, whose utterances, too often based on distorted conceptions of

[1] Several of these ministers were imprisoned for a time.—Shaw's *Minutes of the Manchester Classes* (Chetham Soc.), 168, note 1.

[2] The letter dated January 22, 1652, is amongst the Minutes of the London Provincial Assembly in Sion College, copies of which, as well as of the Minutes of the Bury Classes, have been lent me by Mr. W. A. Shaw. Compare on the situation generally, Stoughton's *Religion in England*, vol. ii. ch. 6. The Minutes of the Wirksworth Classes are in the Derbyshire Archæological and Historical Society's Publications, ii. 135.

life and fact, nevertheless availed to stir up spiritual emotions and to awaken moral energy in the ignorant and profane.

Bunyan's youth.

Prominent among these enthusiasts was John Bunyan, the tinker of Elstow. The son of poor parents, he was taught to read and write, accomplishments which he lost for a time as soon as he left school. In his boyhood he followed what was probably the general example of his comrades, giving vent to oaths and curses, and mocking at religion in his speech. Yet even then his conscience made itself felt in the vivid imagination of the lot which would befall him when he should be given up to the torments of hell. In November 1644 he completed his sixteenth year, and being, according to custom, enrolled in the Bedfordshire militia, was sent to serve, under Sir Samuel Luke, in the Parliamentary garrison of Newport Pagnell. Here he remained for more than two years and a half, quitting the service on the dissolution of the garrison in June 1647. There is no reason to believe that he was ever under fire.[1]

1644-7. In garrison at Newport Pagnell.

[1] The source of our knowledge of Bunyan's early life is his own *Grace Abounding*. That he was in the Newport Pagnell garrison is a discovery of Mr. E. G. Atkinson, of the Public Record Office, and published by him in *The Presbyterian* for May 21 and August 13, 1896. That Bunyan found his way into it through the militia is an inference from the age at which he entered (see *Tracts relating to Military Proceedings in Lancashire*, Chetham Soc. p. 31, where it is said that Lord Strange, in virtue of the Commission of Array, summoned 'all persons of able body, betwixt sixteen and sixty years of age,' and the *Life of Adam Martindale* published by the same society, p. 34, where the writer says that he was but fourteen at the time, 'whereas sixteen would have brought me in'). What was true of the King's Commissions of Array would also be true of the Parliament's militia. The last payment to the garrison was in June 1647, and there is every reason to believe that it was then broken up, as it had latterly been only kept on foot by Parliament as a protection against the army, a reason which ceased to be valid when the army got the upper hand. If Bunyan had been employed in active service we should expect some reference to the fact in his works. Dr. Brown, indeed (*John Bunyan*, 50),

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1647

Bunyan back at Elstow.

When Bunyan returned to his native village his character was unchanged by contact with his Puritan officers. That life of unbounded wickedness to which in later years he looked back with horror was never indeed stained with sins of the flesh. He was but a jovial village lad, taking delight in a game of tip-cat on Elstow Green, or in ringing bells in the tower of Elstow Church, and seasoning his talk with full-flavoured oaths. It is probable that he owed the first stirrings of conscience to his early marriage,[1] which took place soon after his return, perhaps towards the end of 1647, or early in the following year.[2] He seems to have met his future wife while wandering in the exercise of his trade.[3] Of the world's goods the young pair had but little. "This woman and I," wrote Bunyan in later life, "came together as poor as poor might be, not having so much household stuff as a dish or a spoon betwixt us both."[4] Poor as she was, her influence was soon felt. She taught her youthful husband to read pious books brought from her father's house, and it

His marriage.

suggests that when he 'fell into a creek of the sea' he was sent on a military expedition. There was, however, no fighting in the eastern counties at this late period of the war, and it seems more reasonable to connect this misadventure with some journey connected with Bunyan's trade. Dr. Brown's excellent biography of Bunyan is too well known to need any commendation of mine.

[1] "So that," he says, "until I came to the state of marriage, I was the very ringleader in all manner of vice and ungodliness."

[2] After narrating the well-known story of his having been saved by a comrade taking his place at a siege to which a party of the garrison had been sent, Bunyan goes on: "Presently, after this, I changed my condition into a married state."

[3] Dr. Brown (p. 53) shows that there was no entry of the marriage at Elstow. His suggestion that the marriage may have taken place before a justice of the peace is inadmissible, as it was prior to the legislation of 1653.

[4] Was there not some exaggeration in this? A tinker ought to have been able to procure a dish or a spoon.

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was surely through her persuasion that he began to attend church, and to reverence the ministerial dignity of the preacher.[1]

Spiritual conflict.

Bunyan was now interested in religion; he was far from being possessed by it. A sermon on the duty of refraining from sports as well as from labour on the Sabbath[2] roused his antagonism. In the afternoon, as he was in the full swing of a game of tip-cat, the imaginative power of giving reality to his thoughts awoke within him. A voice struck upon his ear: "Wilt thou leave thy sins and go to heaven, or have thy sins and go to hell?" Dropping his cat, he saw with the inner vision the Saviour looking down upon him in hot displeasure. For a moment he thought of stealing away, but the perplexed theology of the time drew him back. Arguing that as he was certain to be damned he might as well be damned for many sins as for few, he returned to the interrupted game.

A terrified soul

The desperate tenacity with which Bunyan resisted the heavenly vision foreboded a long internal conflict. For months he lived encompassed by terrors. They pursued him when he longed once more to join the bell-ringers and yet drew back lest an amusement so vain might bring down the beams upon his head. They pursued him when profane oaths issued from his lips. Fear of hell-fire might lead him to think and talk about religion; it could

[1] "So overcome was I with the spirit of superstition that I adored, and that with great devotion, even all things (both the high-place, priest, clerk, vestments, service, and what else) belonging to the Church." Dr. Brown sees in the vicar a sort of belated Laudian. Such a solution of the difficulty is most improbable. A far easier one is to suppose that Bunyan's memory played him false, and that he misdated his recollection of scenes witnessed in his earlier childhood.

[2] Hardly likely to have been preached by a Laudian.

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not make him religious. The impulse heavenwards lighted on him in more gentle fashion. One day, in the streets of Bedford, he listened to 'three or four poor women, sitting at a door in the sun, talking about the things of God.' "Their talk," he discovered, "was about a new birth, the work of God on their hearts, also how they were convinced of their miserable state by nature. They talked how God had visited their souls with His love in the Lord Jesus, and with what words and promises they had been refreshed, comforted, and supported against the temptations of the devil." From that moment the love of God replaced the fear of judgment in Bunyan's soul. No longer occupied with his flight from the City of Destruction, he fixed his longing eyes on the Delectable Mountains.

1650-3. Giffard's congregation.

The new life drew Bunyan to new friends. In 1650 a little body of twelve persons, some of them of high local repute in Bedford, formed themselves into a Baptist church or congregation under the ministry of John Giffard, formerly a Royalist major, who, having been taken prisoner at Maidstone fight, succeeded in escaping from his captors.[1] Since that time he had practised as a physician in Bedford, where he was notorious for hard drinking and hard swearing. He had, however, been brought to a better mind, and became as notable for the purity of his life as he had formerly been for his vices. Bunyan was naturally attracted by a converted sinner, and though it was only in 1653 that he formally threw in his lot with Giffard's followers, he was already on terms of

[1] The Bedford Record (Brown's *Life of Bunyan*, 82) says that he and eleven others were condemned to death. As we know nothing of any person having been put to death after the battle at Maidstone, it is probable that the twelve were only terrified with threats of execution.

close intimacy with them. It was not till after Giffard's death in 1655 that he accepted office in this church, and it was only in 1657 that he was recognised by it as a preacher. CHAP. XVIII. 1653

As sinner or as Christian, Bunyan was the least controversial of men. George Fox, for all his denunciation of carnal weapons, was amongst the most pugnacious. Demure in childhood, he shrank early from the very appearance of evil. As a lad, he was distinguished for his obstinate truthfulness. 'If George says Verily' (was a common observation amongst his neighbours), 'there is no altering him.' At a later time a change came over him, very unlike Bunyan's prolonged struggle against temptation. "Thou seest," was the voice sounding in his ears, "how young people go together into vanity, and old people into the earth; thou must forsake all and be a stranger unto all." Fox's mind was agitated by a craving for truth and spiritual perfection rather than by a conflict with indwelling and overmastering sin. He wandered away from home in search of light, getting but scant aid from the ministers—'priests' was the name by which he knew them—to whom he applied for the solution of his difficulties. One jovial clergyman bade him 'take tobacco and sing psalms.' Another, apparently less worldly, at last flew into a rage with him for treading on his flower-bed. A third listened to his conversation, picked his brains, and retailed the youth's spiritual experiences in the pulpit. Gradually Fox's mind cleared. The doctrine of an inner light, of Christ dwelling in the heart of the believer as a teacher and a purifier even to the entire extinction of sin, solved all difficulties. Such a doctrine, or something not far removed from it, had led the Ranters into a belief

George Fox.

1645. His youthful difficulties.

CHAP. XVIII.

1646

His doctrine of the inner light.

that sin was no sin to those who, being spiritual, willed to do evil.[1] There was a sanity in Fox's mind which restrained him from such abominations. Though he refused to give to the Scriptures the title of The Word of God, he nevertheless held them to be the words of God guiding and instructing in the paths of blessedness, if only they were interpreted by God's light shining in the heart of the spiritual man.

1647. The Society of Friends.

Fox's doctrine of the inner light was but the quintessence of Puritan protest against external formality, though he carried his opinions into practice with greater consistency than other Puritans.[2] Amongst his followers—styled by himself the Society of Friends, and by the world in general Quakers[3]—Baptism and the Lord's Supper, though not positively denounced, were virtually abandoned.

[1] See vol. i. p. 395.

[2] Dr. Hodgkin, in completing his biography of Fox, thus sums up the impression left by the character of the man upon him: "He was a man of lion-like courage and adamantine strength of will, absolutely truthful, devoted to the fulfilment of what he believed to be his God-appointed mission and without any of those side-long looks at worldly promotion and aggrandisement which many sincere leaders of Church parties have cast at intervals of their journey. The chief defect in Fox's character will perhaps be best described in the words of Carlyle: 'Cromwell found George Fox's enormous sacred self-confidence none of the least of his attainments.' It is to be remembered that Fox preached the doctrine of Christian perfection as a thing of possible attainment in this life; nor is he any the less welcome as a teacher because he does not indulge in that cant of exaggerated self-condemnation which was one of the signs of degenerating Puritanism. Still, it is difficult for a reader of the *Journal* not to feel that Fox is far too confident of the absolute rightness of his own conduct and the utter wickedness of all who oppose him."—*George Fox*, p. 278.

[3] Fox says that Justice Bennet first called him by this name, because he told him to tremble before the Lord. The name, however, fixed itself on the popular mind by the physical excitement which attended the reception of Fox's doctrines. In a Westmoreland petition the enemies of the Friends complain that their

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Yet, wide as was the gulf which parted Fox from Laud, these leaders of thought struck a common note in their recoil from the intellectual rigidities of Calvinism. From this point of view, therefore, the new society may be regarded as making as distinct an opposition to Puritanism in one direction as it was its continuator in another, and it was doubtless in consequence of their appeal to the hearts of Christians by a teaching untrammelled by doctrinal formulas, that Fox and his disciples won so large a following among those who yearned for the development of a religious life regardless of the logic of the schools.

That teaching so regardless of established doctrine would meet with resistance was only too probable, and, unfortunately, Fox increased the irritation caused by his doctrines, by waging war against accepted social formalities. In bearing testimony against Paganism, by calling Sunday the first day of the week and March the first month of the year, he did but follow the example of other extreme Puritans, such as Harrison and Hanserd Knollys; but, having no sense of proportion in his mind, he gave unnecessary offence to his countrymen by addressing them as 'Thou,' on the plea that it was untruthful to use the plural 'You' in speaking to a single person; whilst by his refusal to uncover his head in the presence of exalted personages, on the ground that this honour was due to God alone, he drew down upon him

A war against social formalities.

'practices do exceedingly savour of sorcery, the quakings, swellings, roarings, foamings, and such as we never heard of but in such as were possessed of the devil, of persons at their meetings and especially of young children.' The Friends, in reply, without denying the fact, remind their critics that Moses and other Scriptural personages quaked or trembled. *Several Petitions Answered*, E, 703, 4. This pamphlet was published on June 29, 1653.

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the scornful ill-will of that class from which judges and magistrates were taken. To the clergy of every shade of opinion he gave special offence. He refused to give to their churches any other name than that of steeple-houses, on the ground that the term 'Church' was inapplicable to any material building. Far more offensive to the ministers, and, in many cases, to their congregations as well, was Fox's habit of entering a church and rising after the conclusion of the sermon, not only to denounce the doctrine of the preacher, but to hold him up to derision as a hireling and creature of the State, because he was maintained by tithes. It is true that the custom of the day permitted laymen to rise and to add some word of edification after the minister had been heard,[1] but it can hardly be argued that abuse of the minister's character and position was included in that right; and it is, at all events, certain that such words as Fox was accustomed to pour out in deliverance of his soul must have stung the aggrieved minister into fury. Nor was it only the clergy whom Fox converted into enemies. If there was a body of men in England more powerful than the clergy, it was the army. By his declaration that war, even in self-defence, was unlawful, Fox irritated the soldiers as much as he irritated other bodies of men. With the influential classes thus turned against him, there was little to restrain the crowd of those who hugged their rude animal life with its drunkenness and vice, and who bore malice against the man who branded them as sinners, much as their descendants a century later bore malice against Wesley.

Fox's harangues in churches.

He makes enemies of the clergy,

and of the soldiers.

[1] See Barclay's *Inner Life of the Religious Societies of the Commonwealth*, 274.

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1650–52. Fox as a missionary.

When, therefore, Fox set forth as a missionary through England, as if it were a heathen land, an excuse for persecution in legal form was eagerly sought, and, as is usually the case, was easily found. No candid person would now admit that any of his doctrines were really touched by the Blasphemy Act of 1650, but it was easy for ignorant and heated partisans to persuade themselves that his doctrine of the inner light, combined with his teaching that Christian perfection was attainable in this world of sin, was tantamount to the assertion of a claim 'that the true God, or the Eternal Majesty, dwells in the creature, and nowhere else.'[1] An excuse was all that was

Fox and the Blasphemy Act.

[1] Fox's first imprisonment at Nottingham in 1649 was in consequence of his interrupting the preacher in the midst of his sermon, for which he had no legal excuse. The second imprisonment at Derby, 'from October 30, 1650, to the beginning of winter, 1651,' was purely on the ground of the doctrine he avowed. Unquestionably the ordinance passed by the two Houses of Parliament in May 1648 (see vol. i. 395) had ceased to be obligatory since the passing of the Blasphemy Act in August 1650. The view that Fox was committed under the new Blasphemy Act is fully borne out by a report of the indictment of Nayler at Appleby in January 1653, and by the accompanying documents printed with it in *Saul's Errand*, E, 689, 17. A petition to the Council of State from 'several gentlemen, justices of the peace,' states of the early Friends that 'some of them affirmed themselves to be equal with God, contrary to the late Act, as hath been attested at a late quarter sessions holden at Lancaster in October last past.' Below are given divers blasphemous opinions ascribed to Fox and his companions. Then follow their answers explaining their real meaning. Altogether this pamphlet is invaluable as throwing a clear light on the legal routine of the persecutors. The exact charge is nowhere stated in Fox's *Journal*, legal definitions being little to his taste; but the Mittimus which is printed as *An Answer to a Book which Samuel Eaton put up to the Parliament*, p. 55 (E, 735, 9), leaves no doubt that Fox was committed, together with John Fretwel, on October 30, 1650, under the Blasphemy Act of 1650. They were 'charged with the avowed uttering and broaching of divers blasphemous opinions, contrary to a late Act of Parliament, which upon their examination before us they have confessed.' This merely means that they confessed having used words which the justices construed as blasphemous. An

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wanted. Fox was in prison oft in days when prisons were sickening receptacles of indescribable filth. His teaching, directed as it was against the intellectual formalities of Puritanism, was as effective as had been the Puritan attack upon the ceremonial formalities of Laud. Moreover, Fox's uncomplaining acceptance of every evil that befell him, and, above all, the sincerity exhibited by his refusal to strive with the ruffians who struck him gained him many a disciple who would not have been won over by the most attractive preaching. His sobriety of judgment—within certain limits—was as remarkable as his spiritual exaltation, and after thousands of excitable converts had swelled the numbers of the society it was George Fox who was the restraining influence in their midst.

Reeves and Muggleton.

Others there were whose fanaticism was under less restraint. Reeves and Muggleton announced themselves as the two Heavenly Witnesses foretold in the Revelation, and sentenced all who displeased them to irrevocable damnation.[1] At Whitehall, as Sterry was discoursing on the Resurrection, a lady 'stripped herself of all her apparel, and, as she came into the world from top to toe, she ran into the middle of the congregation, over against the pulpit, and cried, "Welcome the Resurrection!"'[2]

July 25. A strange scene.

Is toleration to be unlimited?

If this spiritual chaos was to be reduced to some orderly system it was unlikely that the advocates of

account of the examination is given on the same page. Probably the following was regarded as proving the charge: "They asked us Had we no sin? I said, No! and in Christ was no sin. They said Where is Christ? and we said, In us; and He hath taken away our sin; so saith John, One abiding in Him sinneth not."

[1] *Works of Reeves and Muggleton*, i. 1.

[2] *Memoirs of the Verney Family*, iii. 47. The words are given Resurrection I am ready for thee" in the *Perfect Account*, E, 672,

unlimited toleration, and still less those of the voluntary system, would be entirely satisfied. In such a re-establishment of order no one was likely to play a more prominent part than John Owen, an Independent minister deep in Cromwell's confidence. The son of a Welsh gentleman, he had been educated at Queen's College, Oxford, where he was noted for his devotion to study and athletic exercises. Startled into Puritanism by the Laudian reaction, he was glad to leave Oxford, and to settle down into a country living. As the intolerance of Laud made Owen a Puritan, the intolerance of Presbyterianism made him an Independent. As minister of Coggeshall, he attracted the notice of Fairfax on his way to the siege of Colchester, and by Fairfax he was carried to London,[1] where he was selected for the arduous duty of preaching before Parliament on the day after the execution of the King.

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John Owen.

1468. His early life.

Though Owen did not utter a word directly bearing on the bloody scene at Whitehall, he distinctly gave a general approval to the course of events which had placed Parliament in its position of sovereignty, whilst the title under which he published his sermon —*Righteous Zeal Encouraged by Divine Protection*[2]— leaves no room for doubting that his approbation extended even further. To this sermon he appended a discourse on Toleration. As an intellectual performance it can never rank with *Areopagitica*, or even with *The Bloody Tenent*. Owen was neither a breaker

1649. Jan. 31. A sermon to Parliament.

Owen on toleration.

3. See *The Naked Woman* (E, 681, 20), with Sterry's explanation that he only saw the upper part of the woman's back as she was surrounded by a crowd, and did not know what had happened till he came down from his pulpit.

[1] Fairfax's patronage of Owen is a nut which those who regard him as exclusively Presbyterian will find hard to crack.

[2] Owen's *Works* (ed. Goold), viii. 133.

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of new paths nor a master of literary style. His most forcible arguments fall confusedly from his pen, and need close attention to unravel their significance.

Owen's opinion on heresy and error.

Owen's position towards heresy and erroneous opinion was that the magistrate was the most unfit person in the world to interfere in religious disputes. His proper function with regard to such matters was to inflict punishment on those who, in the name of religion, disturbed the public peace, spoke contemptuously of Divine things, or wandered without settled abode from place to place. Certain beliefs, again, like that of the 'Papists,' being direct assaults on the majesty and honour of God, were so far to be taken account of by the magistrate that he might interfere with the right of those who held them to meet for purposes of worship. On the other hand, it was the duty of the magistrate to maintain places of public worship and to grant support to the ministers officiating in them.

It nearly coincides with the *Agreement of the People*.

In this and in other respects, Owen's deliverance had points of resemblance to the *Agreement of the People* recently presented by the officers to Parliament, too close to be altogether fortuitous. Both contemplated an Established Church supported by the State, surrounded by self-supporting Nonconformist Churches tolerated by the State. Both contemplated the refusal of toleration to certain classes of persons, whilst, however, the *Agreement of the People* pronounced distinctly only against those who abused their liberty 'to the civil injury of others, or to actual disturbance of the public peace,' and more hesitatingly declared that liberty was not 'necessarily' to 'extend to Popery or Prelacy.' Owen, as became a theologian approaching the subject from a theoretical point of view, threw his net somewhat more widely to

include attacks upon the majesty and honour of God. CHAP. XVIII.

1649 Cromwell and Owen.

With the general purport of Owen's argument Cromwell was in full agreement. "Sir," said he, tapping the preacher on the shoulder when he next met him at Fairfax's house, "you are the person I must be acquainted with." "That," replied Owen, "will be much more to my advantage than yours." Taking him aside, Cromwell insisted on carrying him as his chaplain to Ireland.[1] In 1651, Parliament, doubtless at Cromwell's instigation, named Owen Dean of Christchurch, in succession to Reynolds, who had refused to take the engagement.[2] Unlike Fox, Cromwell believed that the highest culture of the time was a sure support for the religion of the heart, and he had learnt that Owen was not merely a rational theologian, but a man of rare force of character. Some little time afterwards he appointed him to the Vice-Chancellorship, thus committing the Puritan reorganisation of the University of Oxford into his hands.

1651. March 14. Owen, Dean of Christchurch,

and Vice-Chancellor.

Owen's influence soon made itself felt on the ecclesiastical questions of the day. Some time before Cromwell's return from Scotland, a proposed Act for the Propagation of the Gospel had been read a second time, but, as it was referred to the Committee for Plundered Ministers, it is reasonable to suppose that it aimed merely at increasing the maintenance of the clergy.[3] It was, however, impossible long to avoid the larger question. For some years John Biddle had asserted the truth of the

1651. May 23. Proposed legislation for the Propagation of the Gospel.

John Biddle.

[1] Asty's Preface to Owen's *Sermons*, ed. 1721.

[2] *C. J.* vi. 549.

[3] *C. J.* vi. 578. Trustees were to be named; a fact which points in the same direction.

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1651

1652. *The Racovian Catechism.*

doctrines of Socinus, and suffered frequent imprisonments as a heretic.[1] In February 1652 an edition of *The Racovian Catechism*, containing the approved doctrines of the Socinian Churches in Poland, was published in London.[2] On this Owen, together with fourteen other ministers, complained to Parliament, with the result that, on April 10, the House ordered the burning of the whole edition.[3] The fifteen ministers accompanied their protest against Socinianism with a scheme for the settlement of outstanding ecclesiastical questions. To this the House responded by appointing, on February 18, a Committee for the Propagation of the Gospel. Before long the number of the signatories of the scheme rose to twenty-seven, including Whalley, Okey, and Goffe.[4]

Feb. 10. A complaint.

April 2. The catechism to be burnt.

Feb. 10. A plan for an ecclesiastical settlement.

Feb. 18. The Committee for the Propagation of the Gospel.

The proposals themselves indubitably bear the stamp of Owen's mind, and may, with strong probability, be assigned to his authorship. There was to continue an Established Church, controlled by two sets of commissioners, partly lay and partly clerical, corresponding to those afterwards known as Triers and Ejectors. The first set, acting as triers, was divided into local bodies, each of which was to exercise its office in a single county or group of counties, and to admit to the office of preaching such persons, whether ordained or not, as could produce a testimonial 'of their piety and soundness in the faith,' under the hands of six godly Christians, two at least being ministers. The other set was to be a national body of ejectors, moving about from one part

An established and endowed Church. Triers and Ejectors.

[1] *The Apostolical . . . . Opinion concerning the Holy Trinity*, E, 1479, 1.

[2] This edition is not among the Thomasson Tracts, though an English translation issued later is, E, 1320.

[3] *C. J.* vii. 114.

[4] *Ib.* vii. 259.

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of the country to the other, and removing unfit ministers and schoolmasters. Ministers appointed by the triers were not to be compelled to administer the sacraments to such as they judged unfit, nor was anyone to be compelled to receive the sacraments at their hands. Outside this loosely compacted Established Church, persons dissenting were to 'be required to meet—if they have constant meetings—in places publicly known, and to give notice to some magistrate of such their places of ordinary meetings.' Finally, it was asked that the opponents of 'those principles of Christian religion, without the acknowledgment whereof the Scriptures plainly affirm that salvation is not to be obtained—as those formerly complained of by the ministers—may not be suffered to preach or promulgate anything in opposition unto such principles.'[1] Unlike the *Agreement of the People*, Owen's scheme did not mention the proscription of either 'Popery or Prelacy.'

Toleration for Dissenters.

Unitarians not to be tolerated.

It is unlikely that this scheme would have been proposed by Owen without at least the general approbation of Cromwell.[2] As a member of the Committee appointed to discuss it, Cromwell had to fight hard against those who sought to narrow its comprehensive charity. "I shall need no revelation," he said, "to discover unto me that man who endeavours to impose [3] upon his brethren." To another member, who declared that he had rather be a per-

Probable approbation of Cromwell.

Cromwell defends religious liberty.

[1] *Proposals for the . . . Propagation of the Gospel*, E, 683, 12. There was a last article asking for the suppression of judicial astrology. The terms Triers and Ejectors are not formally applied to the two sets of commissioners, but they are spoken of as trying and ejecting. I have inserted the terms in order to exhibit the parallelism and contrast with Cromwell's subsequent ordinances.

[2] The limitation of toleration to Christians appears in the *Instrument of Government*, Art. 37.

[3] *I.e.* to impose his own opinions.

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secuting Saul than an indifferent Gallio, he replied with strong decision: "I had rather that Mahometanism were permitted amongst us than that one of God's children should be persecuted."[1]

Major Butler attacks the scheme as not liberal enough.

If there were some members of the Committee for whom Owen's scheme was too liberal, there were others, outside the Committee, for whom it was not liberal enough. Major Butler, with five followers, assailed it not merely on account of its restriction of toleration to Christians, but on the ground of its support to a Church established and endowed.[2] Did not Christ Jesus, asked these men in effect, send forth labourers into His vineyard 'without the testimony and reward of men?' Was it not the will of God that the condemnation of false teachers should be left to Himself? Was it 'not against the liberties given by Christ Jesus to His people' for 'the civil power to assume a judgment in spirituals?' Finally, stirring a question which was now exercising the minds of Christians for the first time since the reign of Edward I., was it 'not the duty of magistrates to permit the Jews, whose conversion we look for, to live freely and peaceably amongst us?'[3]

[1] Preface to *The Fourth Paper by Major Butler*, E, 658. Professor Masson ascribes this Preface, which is signed R. W., to Roger Williams. An additional argument in favour of this view is the resemblance of the quotations from Cromwell's speeches here to the quotations from Vane's speeches in the Preface to *The Bloody Tenent*. The language of the second speech leaves no doubt that Cromwell opposed not those who wanted to enlarge the proposals, but those who thought them too liberal.

[2] *Ib.* This paper was published on March 30.

[3] On January 5, 1649, a petition was presented to Fairfax and the Army Council by two inhabitants of Amsterdam for the repeal of the banishment of the Jews (*Clarke Papers*, ii. 172, note *a*). There is evidence that a friendly feeling towards the Jews was spreading in 1652. In a paper drawn up about the beginning of that year on the subject of the importance of acquiring Dunkirk, we are told that 'if

There was matter enough here for prolonged discussion. Challenged to explain what they regarded as the principles of Christianity, any assault on which was to disqualify from toleration, Owen and his supporters produced no less than fifteen fundamentals, asserting, amongst other things, that none who sought to discover the mind of God except by the Holy Scriptures, who denied the ordinary doctrine of the Trinity, the incarnation, justification by grace, the necessity of forsaking sin, the resurrection, or even forsook and despised the duties of God's worship, were to be allowed to promulgate their opinions.[1]

Fifteen fundamentals of Christianity.

The question of the toleration of Unitarians or other adversaries of recognised Christianity interested a few advanced thinkers. The question of the enforcement of tithes interested the bulk of the community. The opinion that the clergy ought to live on voluntary contributions was welcome not merely to men like George Fox and his disciples, but also to the mobs by which Fox had been persecuted, on the

Question of an Established Church.

there may be a toleration of a synagogue of the Jews' there 'they will give 60,000 or 80,000 pound for that freedom, it will bring all the Portugal merchants from Amsterdam' (*Hist. Review*, July 1896, p. 485). In *Proposals for Propagation of the Gospel* (E, 656, 21), published on March 20, Captain Norwood asks for the readmission of the Jews. In a newspaper published on May 6 we have a sympathetic account by a sailor of a visit to a synagogue in Leghorn. "Shall they," asks the writer, "be tolerated by the Pope, and by the Duke of Florence, by the Turks, and by the Barbarians and others, and shall England still have laws in force against them? When shall they be recalled?" (*Several Proceedings*, E, 794, 33). That Jews were already secretly established in London has been shown by Mr. L. Wolf's *Crypto-Jews under the Commonwealth*. I do not think he has noticed a passage in *Merc. Democritus* of May 12, 1652 (E, 664, 3). "The Jews in Charterhouse Lane have this week such devouring stomachs that they eat up whole families' clothes, gowns, rings, smocks, petticoats; nothing comes amiss under the sun."

[1] These propositions are appended to *Proposals for the Furtherance and Propagation of the Gospel*, published December 2, E, 683, 12.

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simple ground that if there were no compulsion to support the clergy they would themselves be able to escape payment altogether. Another class of persons were those who, like the framers of the *Agreement of the People* as amended by the Army, were willing to afford a public maintenance to the clergy, but objected to tithe as unequal in its incidence, and entailing evils inseparable from any sort of payment in kind.

April 29. A substitute for tithes proposed.

On April 29 Parliament resolved to satisfy the last class of critics so far as to throw upon the overburdened Committee for the Propagation of the Gospel the task of providing a substitute for tithe, whilst it resolved, by a majority of twenty-seven to seventeen, that the payment of tithe should be enforced till some other more fitting provision for the ministry had been discovered.[1] How Cromwell voted we have no means of knowing, but it can hardly be doubted that he voted with the majority, though favourable to the substitution of some more acceptable mode of payment,[2] or that, if we had before us a report of the discussions in Committee, Cromwell would be found in stern opposition to the sweeping conclusions of the Fifteen Fundamentals of Christianity. Words of his, now

Probable attitude of Cromwell.

[1] *C. J.* vii. 128.

[2] Dr. Hodgkin (*George Fox*, p. 168) quotes a hitherto unpublished statement in Fox's *Journal*: "Though O. C. at Dunbar fight had promised to the Lord that if He gave him the victory over his enemies he would take away tithes, &c., or else let him be rolled into his grave with infamy; but when the Lord had given him the victory, and he came to be chief, he confirmed the former laws." Dr. Hodgkin notes that the phrase about being 'rolled into the grave with infamy' occurs in Cromwell's speech to his first Parliament on September 12, 1654, and infers that Fox was probably mistaken in connecting it in any way with the abolition of tithes. Mr. Firth suggests that Fox's statement is based upon an imperfect recollection of Cromwell's language in his letter to Lenthall after the battle, of which, however, the theme is action against lawyers, whilst tithes are not mentioned. (See i. 392.)

lost to us, must have inspired Milton with that noble sonnet in which he urges Cromwell to save freedom of conscience from hirelings:

May. Milton's sonnet to Cromwell.

Cromwell, our chief of men, who, through a cloud
Not of war only, but detractions rude,
Guided by faith and matchless fortitude,
To peace and truth thy glorious way hast ploughed,
And on the neck of crownèd Fortune proud
Hast reared God's trophies, and His work pursued,
While Darwen stream, with blood of Scots imbrued,
And Dunbar field, resounds thy praises loud,
And Worcester's laureate wreath: yet much remains
To conquer still; Peace hath her victories
No less renowned than War: new foes arise,
Threatening to bind our souls with secular chains.
Help us to save free conscience from the paw
Of hireling wolves, whose Gospel is their maw.[1]

[1] The sonnet is headed 'To the Lord General Cromwell, May 1652, on the proposals of certain ministers at the Committee for Propagation of the Gospel.' Professor Masson holds that this refers to the proposals of Owen's party (*Life of Milton*, iv. 441). If by this he means, as I suspect he does, the original proposals presented to Parliament on February 10, and printed on March 30 in *The Fourth Paper presented by Major Butler* (E, 658, 9), I think he is mistaken. In the first place it is unlikely that Milton would have postponed the expression of his indignation for three months. In the second place it is unlikely that he could have hoped to secure Cromwell's support in an attack on those proposals, simply on the ground that they advocated a continuance of maintenance for the clergy. My belief is that the proposal referred to by Milton was, at least in the main, the fifteen fundamentals, though it is true that these were only a development of a clause in the earlier fifteen proposals. In a marginal note to p. 23 of Major Butler's pamphlet we find: "Upon occasion of which motion the Ministers were desired to instance: who therefore presented 15 fundamentals, the copy whereof is not yet come to my hand." At the bottom of the page—apparently as a postscript—we find: "Upon this new project of these fifteen Proposals and fifteen Fundamentals, I do humbly beg of the Father of spirits that He will either graciously please to stir up the hearts of these worthy men to put in some Christian retractation; or else the hearts of some of His faithful witnesses (against such graven images) to present some faithful and truly Christian observations." There was therefore a sharp controversy impending, and it was likely that the attention of

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1652 July. Milton's sonnet to Vane.

Milton's language is that of admiration and expectancy,[1] not of unqualified concurrence. For the close, sympathetic appreciation of an idealist by an idealist we must turn to the sonnet to Vane,[2] written about two months later :—

Vane, young in years, but in sage counsel old,
Than whom a better senator ne'er held
The helm of Rome, when gowns, not arms, repelled
The fierce Epirot and the African bold,
Whether to settle peace, or to unfold
The drift of hollow states hard to be spelled;
Then to advise how War may best, upheld,
Move by her two main nerves, iron and gold,
In all her equipage; besides, to know
Both spiritual power and civil, what each means,
What severs each, thou hast learned, which few have done.
The bounds of either sword to thee we owe;
Therefore on thy firm hand Religion leans
In peace, and reckons thee her eldest son.

Yet even here a jarring note is revealed. Vane is not only to introduce the reign of perfected religious liberty, but also to hold the threads of diplomacy and direct the courses of war. Even Religion's eldest

the Committee was occupied with it during a great part, if not during the whole, of the month of April. How strong the attack was may be gathered from the fact that the ministers did not publish the fifteen Fundamentals, though they did publish their Proposals. The Fundamentals were not printed till December 2. It would be quite in accordance with Cromwell's character to suppose that he supported the proposals, though he opposed the later attempt to define Christianity with a view to silence those who strayed beyond the definition. Even if Cromwell voted on April 29, as I think he did, for a continuance of public support to the ministers, Milton would feel secure in May of being backed by him in his horror of the fundamentals.

[1] Compare the last lines of the sonnet to Cromwell, with the words in the sonnet to Fairfax: "O yet a nobler task awaits thy hand." There is a greater admiration for Cromwell, but the same expression of hope in what will be done, rather than a certainty that all will be done that the writer wishes to see accomplished.

[2] It reached Vane on July 3. Masson's *Life of Milton*, iv. 441.

son could hardly be sufficient for these things. If there had been a possibility of establishing religious liberty, for which the mind of the community was, as yet, but little prepared, the task could only be accomplished by a statesman unvexed by distracting influences and able to concentrate his efforts on this sole problem. If Parliamentary effort slackened and the cry for ecclesiastical, like that for legal reform died away at Westminster, it was because Parliament was encumbered with schemes of a more material and therefore of a more immediately attractive nature. The statesmen of the Commonwealth had to provide for war as well as for peace. They had to complete the predominance of England in the British Isles, and, as if this were a light task, they had already involved the nation in a maritime struggle with the first naval power in the world. Their energies were necessarily absorbed in business other than the proposals of the Law Committee and of the Committee for the Propagation of the Gospel.

CHAPTER XIX.

THE SUBJUGATION OF IRELAND.

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Relations with Scotland and Ireland.

FOR the future stability of the Commonwealth it was of pre-eminent importance that its relations with Scotland and Ireland should be wisely ordered. Unfortunately, England's claim to attach either of these countries to herself rested on conquest, and it is in the nature of conquest to be a source of weakness. What was true of both was especially true of Ireland, where differences of blood and religion combined with memories of by-past deeds of cruelty to evoke a spirit of opposition far more bitter than even the mastery of the sword could arouse, and to justify in the eyes of Irishmen a prolongation of what was in reality a hopeless struggle.

May. Ireland after Cromwell's departure.

When Cromwell returned to England after the surrender of Clonmel, there was but one army which could be supposed capable of holding the field against the English—the Ulster force once led by Owen O'Neill, but now under the strange command of Emer McMahon, Bishop of Clogher.[1] Enticed by information that Coote and Venables were at a distance from one another, he dashed forwards into county Londonderry, stormed Dungevin Fort, and even reduced Ballycastle, on the distant coast of

[1] For the circumstances of his election see vol. i. 171.

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June 21. The battle of Scarriffhollis.

Antrim.[1] Then followed the inevitable retreat. Pursued by Coote with less than half his numbers, the episcopal commander insisted on standing at bay at Scarriffhollis, about two miles from Letterkenny. In vain were the warnings of Henry O'Neill, Owen's son, and of other officers who had stood high in Owen's favour, and who now told his incompetent successor that the worst way of dealing with an English enemy was to meet him in a pitched battle. Their caution was justified by the result. Of 6,000 Irishmen, some 2,000 were slaughtered on the field. What was more disastrous still was that the greater number of the trained officers, versed in the wiles of war under their beloved chief, either met their deaths foot to foot with the enemy or were captured and mercilessly executed. Henry O'Neill and the Bishop himself were amongst the latter number.[2]

The Irish left without an army.

Without an army in the field submission was only a question of time; and though fresh troops were subsequently collected to oppose the invaders, they had neither the numbers nor the organisation which might have enabled them to hold head against their well-disciplined antagonists. Under Ireton, therefore, who remained as Lord Deputy after the departure of his father-in-law, the military operations dwindled into a succession of sieges diversified by efforts to repress the rapine of the natives, who carried off their spoil to the fastnesses of bog or hill. It was of little moment whether these predatory bands dignified

Nature of the Irish resistance.

[1] The Bishop of Clogher to Ormond, June 1; Coote to Ireton, July 2; Gilbert's *Contemporary Hist. of Affairs in Ireland*, ii. 422, iii. 147.

[2] Aphorismical Discovery, *ib.* ii. 82; Letters in *Several Proceedings*, E, 777, 22; Advices of James Haws, July 1, *Carte MSS.* xxviii. fol. 105.

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The Tories.

themselves with the name of soldiers, or were mere outlaws, commonly known as Tories: in either case they were well pleased to carry off the goods of an Englishman, and still better pleased to ruin such of their own countrymen as had demeaned themselves by seeking the protection of the invaders.

Five sieges.

The first three months after Ireton had been named Lord Deputy were occupied by five sieges. Tecroghan submitted to Reynolds on June 25; Carlow to Sir Hardress Waller on July 24; Waterford to the Lord Deputy himself on August 6; Charlemount to Coote on the 14th; and Duncannon Fort to Cooke on the 17th of the same month.[1] In none of these cases was any cruelty used or any penalty inflicted upon the garrisons or inhabitants. At Waterford alone was there any indication that a penalty might possibly follow at a future time. The inhabitants who elected to remain within the walls were told that, if a warning were given them to depart, they would be allowed three months for the removal of their property.[2] The clause bears evidence of a conviction rising in Ireton's mind that, if the country was to be firmly held, it would be necessary to re-people the fortified towns with settlers of English birth, as Cromwell had suggested after the massacre at Wexford.

A threat of expulsion suspended over the inhabitants of Waterford.

Ireton deceived by Dillon.

Of fortified towns in Ireland but three—Limerick, Galway, and Athlone—still held out against the invaders. The importance of Athlone lay in its guarding the first bridge crossing the Shannon, and thus affording a practicable route by which an army

[1] Hewson to Lenthall, June 29: *Several Proceedings*, E, 777, 22; Coote to Lenthall, August 22, *ib.* E, 780, 17; Preston to Ormond, June 18, *Carte MSS.* xxvii. fol. 695; *A Perf. Diurnal*, E, 780, 1; Diary of a Parliamentary Officer, *Gilbert*, iii. 219.

[2] Articles of Waterford, *Several Proceedings*, E, 778, 17.

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could advance into Connaught across a river fringed with bogs. It is probable that if Cromwell had been in command he would have turned his attention primarily to the capture of Athlone; and it is certain that, had he done so, he would have thrown himself as energetically into the task before him as though everything depended on his own exertions. Ireton was unwearied in his attention to duty, and self-willed in the maintenance of his own opinion, but he had none of the qualifications of a great commander. He fancied that he could win Athlone by treachery, and opened up a negotiation with Lord Dillon for the betrayal of the town—a negotiation which Dillon accepted with the object of spinning out time in order to render a serious attack on Limerick impossible before the close of the season.[1]

Aug. Ireton advances leisurely.

Having thus founded his plans for the remainder of the campaign on the supposed treachery of an enemy rather than on his own efforts, Ireton marched

[1] The author of the Aphorismical Discovery (*Gilbert*, ii. 107–113), with his fine nose for treason to the Irish cause, tells the story in full belief that Dillon was in reality a traitor. Dillon, however, had written to Ormond, on August 6 (*ib.* iii. 171): "The enemy desires much to speak with me, but it shall be your Excellency's commands that will guide me in that particular, as it doth in all other things. If your Excellency conceives it not proper for me to give them a meeting by reason of the trust reposed in me by his Majesty, I believe no other prejudice can happen thereout, which I humbly offer to your Lordship's consideration, if you esteem it one. I am confident that it would subject my person to the scandal of those that are not acquainted with my intentions, but that I value not in respect of doing his Majesty the least service that is; certainly it's the time I have taken to consider of this business that has stayed the enemy's advance to this place ere now, and doubt not of their being here very soon. If our forces be here before them, according [to] your Excellency's orders, the enemy will have a hard tax of it." Writing on August 16 (*ib.* iii. 172) Dillon laments the insufficiency of his numbers, and adds that he had written to Clanricarde to bring all his forces to Athlone, a message which he would never have sent if he had intended to betray the place.

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leisurely northwards along the western foot of the Wicklow highlands, wasting time in the glens in burning the cottages and destroying the crops of the tribesmen whom he was unable to follow into the recesses of the hills.[1]

News from the West.

Before long news arrived which seems to have convinced Ireton that the resistance of the Irish would break down without much trouble on his own part. The divisions between Ormond and the Celtic population of the West had been long notorious. In June, Limerick had refused admission to a garrison selected for its defence by the Lord-Lieutenant; and it was not till July 15 that he yielded so far as to appoint Hugh O'Neill, the gallant defender of Clonmel, to the governorship of the city, at the same time permitting him to choose the regiments to be employed in the garrison.[2]

June. Limerick resists Ormond.

July 15. Hugh O'Neill governor of Limerick.

Worse was still to come. The majority of the Roman Catholic prelates, like the Limerick citizens, suspected the Protestant Lord-Lieutenant of complicity with the enemy. Accepting as undoubted truth every calumny raised against him, they met at Jamestown to consider the situation of the country, and on August 12 deposed him from the authority he had received from the King, at the same time launching an excommunication against all who presumed to contravene their decree. As for their country, they had no other remedy to propose but to commend it to the Divine protection. "We well understand," they said, "the present condition of this nation is more inclining to ruin and despair than

Aug. 12. The prelates depose Ormond.

[1] Basil to Lenthall, September 13, *Several Proceedings*, E, 780, 17; Diary of a Parliamentary Officer, *Gilbert*, iii. 220.

[2] Commission to O'Neill, July 15, *Carte MSS.* clxii. p. 247. The previous correspondence is scattered over vol. xxviii. of the same collection.

recovery. . . . Though this nobleman hath left us nothing but weakness and want and desolation, and that the enemy is rich, strong, and powerful, God is stronger and can help us, and for His own name's sake will deliver us." [1]

The prelates and the nation.

It might seem as if the prelates were bent on reviving the days of Hildebrand. In reality they were the mouthpiece of a nation borne down by a flood of disaster. Their hearts were with their own people. It was not so much Ormond in person whom they defied as Ormond representing an alien sovereign who regarded the loyalty of Irishmen as no more than a counter in his game, and who, at that very moment, had suffered himself to become a tool in the hands of the Presbyterian Scots.

Aug. 30. Ireton sends Waller against Limerick.

Well might Ireton think that the Lord had delivered his enemies into his hands. On August 30 he was so confident of success that he ventured to divide his army, sending Sir Hardress Waller to close round Limerick on the east, whilst he himself was to make for Athlone. There, if, as he fully expected, he gained possession of the town by treachery, he would be in a position, after effecting a junction with Coote, to march down the farther bank of the Shannon and to straiten Limerick on the western side of the river.[2]

Sept. 9. Waller summons Limerick.

Waller indeed did not linger over his portion of the task. On September 9 he was before Limerick, and sent an unavailing summons into the city. Ireton

[1] Cox, *Hib. Anglicana*, ii. App. xlviii.

[2] That he had formed the latter plan is not shown by any evidence, but it arises out of the situation, and in 1651 Ireton established himself on the western bank. The scheme of marching against Athlone was finally decided on at a council of war on September 1, at which Coote was present. Diary of a Parl. Officer, *Gilbert*, iii. 220. That the plan had been discussed before appears from Dillon's letter of May 6. (See p. 39, note 1.)

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was in no such haste. It is possible that he was delayed by the difficulty of provisioning his army. However this may have been, it was not till September 16 that he reached Athlone, only to find the bridge guarded against him, and to renounce all idea of forcing a passage across it. All that he could now do was to leave Coote to establish himself in the English town on the eastern bank of the Shannon, after which, moving through King's County and Tipperary, he occupied the last fortnight of September in securing the fortified towns and houses of the district. Then, far too late to effect anything, he turned towards Limerick, where he rejoined Waller on the eastern bank.[1] On October 6 he summoned the city, and, finding the citizens indisposed to yield to mere threats, he requested a Council of War to give him the advice which he had hitherto omitted to require.[2] The Council, being composed of men of sense, told him that it was useless to persist in the siege at so advanced a season. On the 19th, leaving a few garrisons behind to keep the citizens in check during the winter, he marched off to the succour of his newly-planted strongholds in King's County, now threatened by the incursion of a considerable Irish force. Already, before he had appeared on the scene, Axtel and other officers had gathered together their scattered forces, had fallen on their assailants in Meelick Island in the Shannon, and had slaughtered some 4,000 of them in and after the fight.[3]

Oct. 6. Ireton summons Limerick.

Oct. 16. A council of war.

Oct. 19. Ireton marches away.

[1] Diary of a Parl. Officer, *Gilbert*, iii. 219-222.

[2] That Ireton mismanaged the campaign without taking advice is shown by a remark of Ludlow: "The Deputy," he writes with respect to a council of war about twelve months later, "who was now entirely freed from his former manner of adhering to his own opinion which had been observed to be his greatest infirmity, referred it again to the consideration of the Court." *Ludlow*, i. 288.

[3] Diary of a Parl. Officer, *Gilbert*, iii. 223-225; Basil to Lenthall, November 4, *ib.* iii. 184.

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The addition of King's County and of a portion of Tipperary to the territory of the Commonwealth was the only result of the campaign undertaken by Ireton after the surrender of Waterford. His incompetency as a commander is displayed alike in his readiness to undertake more than he was able to accomplish and in his failure to proportion his means to the objects which he had in view.

Ireton's failure as a general.

With little effort of their own, the Irish had thus gained a breathing-space to prepare for the renewal of the struggle in the ensuing summer. Ormond, at least, refused any longer to stand in the way of united effort. On August 31 he announced that he only waited for the King's permission to leave the country.[1] On October 13 he received from Charles the authority he desired, learning at the same time that his master, acting under Scottish compulsion, had denounced the Irish treaty of 1648.[2] In vain Ormond attempted to induce the prelates now assembled at Loughrea to reverse their sentence of excommunication. They replied that they were the King's obedient servants, but that a Catholic people ought not to be subjected to a Protestant governor.[3] Having appointed Clanricarde Lord Deputy, Ormond sailed for France before the end of the year. If nobility of character combined with almost infinite patience could have availed him, Ormond might have saved Ireland from impending ruin. As it was, not only were the conditions of action persistently adverse to him, but his inbred Royalism made it impossible

The Irish opportunity.

Aug. 31. Ormond resolves to leave Ireland.

Oct. 13. He receives leave to go.

Oct.–Nov. An assembly at Loughrea.

[1] Ormond's answer to the Prelates, August 31, *Carte MSS.* xxviii. fol. 408.

[2] Charles to Ormond, August 19; Ormond to Charles, October. *Ib.* xxix. fol. 645; xxviii. fol. 567.

[3] Proposals of the Commissioners of Trust. *Ib.* October 29. Answer of the Clergy, November 7. *Ib.* xxviii. fol. 623.

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for him to inspire confidence in his Celtic countrymen, who were sufficiently keen-sighted to perceive that they must exist without Charles, or that they could not exist at all.

Clanricarde Lord Deputy.

It was therefore to little purpose that Ormond left behind him, in the person of Clanricarde, a Lord Deputy who was at least a Catholic. Whatever lip-service Irish priests and patriots might render to the idea of Royalty, they had made up their minds to fight their own battles without reference to a King who in Presbyterian hands was a hindrance rather than a strength. How great a hindrance it might be had been shown by the course of a negotiation which had been carried on for some months before Ormond's departure. In May a certain Colonel Oliver Synott landed at Galway, having, as he explained, been commissioned by Charles to treat with the Duke of Lorraine in conjuction with the Royalist Minister at Brussels, Sir Henry de Vic. Unfortunately, according to his own account, he had been chased by two English frigates, and compelled to throw his dispatches overboard, but he gave verbal assurances that the Duke was ready to advance 10,000*l.* for carrying on the war if some Irish port were made over to him as a security for the loan; Duncannon, which at that time had not yet surrendered to the English, being finally selected.[1] Ormond, however, shrank from striking a bargain without better credentials, and contented himself with sending Lord Taaffe to receive instructions from Charles, whose departure for Scotland was at that time unknown in Connaught.[2]

May. A message from the Duke of Lorraine.

June. Ormond's reply.

[1] Synott to Ormond, May 22, *Gilbert*, ii. 420. Compare a second letter, undated but received by Ormond on June 13. *Ib.* ii. 423.

[2] Ormond to Clanricarde, June 5; Instructions to Taaffe, *Carte MSS.* xxvii. fols. 625, 627.

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Months passed away before anything more was heard of the matter. Taaffe visited Paris, where, finding that Charles was no longer on the Continent, he placed himself in communication with the Queen. By her advice he forwarded Ormond's letters to Charles, and after waiting in vain for a reply betook himself to Brussels to open negotiations with the Duke.[1] The Duke was favourably inclined, and on December 21 commissioned Stephen de Henin, Abbot of St. Catharine, to convey to the Catholic States of Ireland the assurance of his desire to help them.[2]

Taaffe's mission.

Dec. 21. The mission of the Abbot of St. Catharine.

Expelled from his own territory by the overshadowing power of France, but enriched by the plunder of the Thirty Years' War, the Duke, having at his disposal a considerable armed force, was ready for any adventure which seemed likely to serve his interest. Moreover, he had special reasons for placing the Pope under obligations. Like Henry VIII., he had married a wife in the lifetime of her predecessor, and he was at this time striving to induce Innocent X. to regularise this later union. He may, therefore, have thought that the deliverance of a Catholic people from the yoke of the oppressor would weigh more heavily in the balance at Rome than any legal arguments which it was in his power to adduce.

Motives of the Duke of Lorraine.

At all events, the Duke had no intention of stirring unless he was invested with something like royal authority. When in February 1651 the Abbot, accompanied by Taaffe's uncle, George Dillon, arrived in Ireland, he declared that if the Duke was to render assistance he must be accepted as Protector of the

The Duke's proposals.

1651 Feb. The Abbot delivers his message.

[1] Henrietta Maria to the Duke of Lorraine, $\frac{\text{Sept. } 24}{\text{Oct. } 4}$, November $\frac{8}{18}$, Clanricarde's *Memoirs*, 71, 73.

[2] Commission to the Abbot of St. Catharine, December $\frac{21}{31}$; Answer of the Duke of Lorraine, $\frac{\text{Dec. } 23}{\text{Jan. } 1}$; Taaffe to Ormond, $\frac{\text{Dec. } 24}{\text{Jan. } 3}$, $\frac{\text{Dec. } 26}{\text{Jan. } 5}$, *ib.* 5–22.

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kingdom, though in due subordination to the King. As a token of good-will he brought with him 6,000*l.*, and an assurance that his master was ready to employ his men, treasure, shipping, and person in the reconquest of Ireland.[1] It was easy to conjecture that such a Protectorate would leave little room for the King's authority. Moreover, the Duke's letter was addressed, not to the King's representative, but to the Lords appointed to administer the government of Ireland.[2] Whether Clanricarde knew it or not, before the end of the year Father Anthony Geoghegan was despatched from Rome to the Irish prelates with instructions to urge the institution of a Catholic Protector.[3]

March. Its reception in Ireland.

To such a consummation the Catholic Clanricarde was no less averse than the Protestant Ormond. Yet, that he might not place the burden of rejection on his own shoulders, he laid the Duke's proposal before the Commissioners of Trust, reinforced by such other prelates and noblemen as were within call. Finding that they were not only unanimously in favour of an acceptance of the offer, but that they were even negotiating directly with the Abbot without his consent, he indignantly told them that to accept the Duke's proposal was tantamount to a dethronement of their Sovereign. Unable or unwilling to avow their action, the members of the assembly drew back, and it was finally resolved that the Abbot should be dismissed, and that two fresh agents—Sir Nicholas Plunket and Geoffrey Browne—should be sent to the

April 23. Agents sent to treat at Brussels.

[1] Taaffe to Ormonde, Clanricarde's *Memoirs*, 25. The money is there said to have been 5,000*l.*, but 1,000*l.* more had been added before the Abbot started.

[2] Excellentissimis . . . Dominis in Hibernici regni administratione constitutis, *ib.* 7.

[3] Aphorismical Discovery, *Gilbert*, ii. 144.

Duke—no longer to treat with him on the Protectorate of Ireland, but merely to solicit a loan on the security of certain towns.[1]

The negotiation as a test of opinion.

The negotiation with the Duke of Lorraine—a man notoriously ready to promise more than he was able to perform—unimportant in itself, acquires an importance for the student of Irish history as a touchstone of the divergent aims of those on whose shoulders lay the burden of Irish defence. In word Irish Royalists and Irish patriots might combine; in reality a thick cloud of suspicion parted them asunder.

Ground gained by the English.

The situation was the more desperate as it was unlikely that the military blunders of the last campaign would be repeated in 1651. Even during the winter the English had gained ground. Waller, supported by Henry Cromwell, the second surviving son of the Lord General, had pushed back Muskerry to the mountains in the western part of the counties of Cork and Kerry,[2] whilst Reynolds and Hewson cleared Westmeath, Longford, and Cavan. By the end of March, save for the Tories and other small parties lurking in spots of hard ground in the midst of bogs, or in the higher stretches of the Wicklow Hills, the Irish held nothing outside Connaught, except the mountains of Donegal, Clare, and the western extremity of the counties of Kerry and Cork.

Desolation in Ireland.

The mere pressure of a hungry army on a hostile population must, in any case, have been disastrous. Whole districts lay waste without inhabitant, and

[1] Clanricarde's *Memoirs*, 22–99. Part of this correspondence was known to the English and was published in London on April 24, *Several Proceedings*, E, 785, 12.

[2] Ireton to Bradshaw, February 8, *The Faithful Scout*, E, 784, 12; Hewson to Lenthall, February, March 14, 18; *Several Proceedings*, E, 784, 31; E, 785, 4.

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cruel deeds often tracked the steps of the regiments.[1] Ireton, at least, did his best to put a stop to irregularities condemned by the existing laws of war. He had no better officer than Axtel; but when Axtel was charged with putting to the sword prisoners who had surrendered to mercy, Ireton brought him before a council of war, and, though it was proved that Axtel had not personally offered quarter, suspended him from his command and sent him back to England, on the ground that his soldiers had thrown out some expressions tending that way.[2]

Dismissal of Axtel.

Jan. Arrival of the Parliamentary Commissioners.

In his work of restraining offences, Ireton had the full support of Ludlow and the three other Parliamentary Commissioners,[3] who landed in Ireland in January 1651. In taking up the civil government of the country, they aimed at promoting the welfare of its inhabitants so far as this was compatible with submission to the English Government, and with the payment of the assessments levied for the maintenance of the army;[4] tillage was to be encouraged, and the exportation of cattle and the killing of lambs forbidden.[5]

Feb. The inhabitants of Waterford receive warning to quit.

Neither Ireton nor the Commissioners, however, could hide from themselves the unpleasant truth that they held Ireland by force alone. A proclamation, issued in February,[6] embodied the warning suspended

[1] There is a collection of such cases in the edition of Clarendon published in 1849, viii. 223-245. It was made after the Restoration, and considerable allowance must therefore be made for the imagination of the informants, as in the case of the Ulster massacres of 1641.

[2] *Ludlow*, i. 263.

[3] Vol. i. 296.

[4] Commissioners to Bradshaw, March 24, *Ludlow*, i. 486.

[5] Proclamations by the Commissioners, in *Several Proceedings*, E, 785, 20; E, 786, 22. There are also copies from the originals in the *Egerton MSS.* 1779, fols. 1-14.

[6] The Proclamation printed by *Borlase*, 341-345, is there dated as given at Waterford, March, 1650. Ireton had, however, removed to Kilkenny before February 27, *Egerton MSS.* 1779, fol. 9, and in the

over the heads of the inhabitants of Waterford,[1] bidding them to quit the city within three months, with the intention of supplying their places by a regiment of military settlers to be raised in England.[2] Ireton's justification for this harsh step goes far beyond the necessity of securing a fortified post of the importance of Waterford. "I desire," he said, "those that question it but to look upon the late actions of many of those that upon their fair professions to us, and our trust in them for faithfulness, or, at least, for innocent and peaceable demeanours towards us, have received protection from us; who notwithstanding do most of them make it their daily business to do us all the mischief they can wherever they see an opportunity, and for that purpose do harbour, entertain, and encourage those many Tories in every corner that otherwise durst not come into our quarters, nor could subsist in them undiscovered, or do that mischief that they do and escape yet from all our forces and garrisons in every corner ready to pursue them, but that as they are assured, and find the protected people are friends to them and, in their hearts, enemies and false to us, notwithstanding all their professions to the contrary; nay, many of the protected people themselves, upon every slight occasion or ground of hope of doing mischief to us, do frequently run from their habitations, join with the enemy in arms, and deliver up their castles to them." The only wonder is that Ireton should have been surprised at such a result of the English conquest.

Ireton justifies his resolution.

The more Ireton realised that his hold on Ireland

proclamation itself gives 'the tenth day of February instant' as the date from which the warning was to take effect.

[1] See p. 38.

[2] Lawrence's Propositions for guarding Waterford, Ross, and Carrick, accepted by Ireton Dec. 12, 1650, *Several Proceedings*, E, 684, 15.

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May 1. Marriages between English soldiers and Irish women denounced by Ireton.

was one of force alone, the more anxious was he to keep his soldiers aloof from any close connection with the natives. He was therefore horrified to learn that there were some amongst them who, invincible in battle against Irish men, had capitulated to the bright eyes and seductive grace of Irish girls. He at once denounced the marriages which were the not infrequent result as destructive of military order. The newly-married wives, it seems, had allowed it to be understood that they had been converted to the Protestant faith. In a strongly worded proclamation Ireton asserted that their alleged conversion was but pretended 'for some corrupt and carnal ends.' Neither officers nor soldiers were hereafter to marry 'any of the women of this nation that are papists, or have lately been such, and whose change of religion is not, or cannot be judged by fit persons such as shall be appointed to that end, to flow from a real work of God upon their hearts.' Officers contravening this order were to be reduced to the ranks, private soldiers to be degraded to lower positions than those they held, or even cashiered. If Ireton had had any sense of humour, he would hardly have erected a court of conscience, before which any quick-witted Irish woman might succeed in baffling the investigations of God-fearing veterans.[1]

Ireton prepares to take the field.

Early in May Ireton was prepared to take the field with better prospect of success than in the preceding summer. Not only was his army in a high state of efficiency, but he himself—unlike most other mediocre commanders—having learnt to distrust his own powers, had summoned a council of war to meet at Clonmel and decide on the plan of the next cam-

May 10. A council of war at Clonmel.

[1] Proclamation, May 1, *Several Proceedings*, E, 786, 22.

paign.[1] When that council met on the 10th, its members found as much difficulty in coming to a conclusion as the Lord Deputy himself. If Limerick was to be surrounded, part of the English army must establish itself on the western bank of the Shannon. Yet it seemed impossible to force a passage over the broad stream in the neighbourhood of Limerick, and no less impossible to feed an army attempting to evade the difficulty by passing round the Shannon at its source far away in the north. In the end the rumour of a plot to betray Limerick into their hands reached the English commanders, and orders to march were given, in the hope that something unexpected might relieve them from their hesitations.[2]

June 1. Ireton forces a passage over the Shannon.

Arrived before Limerick, Ireton found that he must depend on his own exertions for the reduction of the city. On June 1, making a feint to cross the Shannon at Killaloe, he carried over about 500 men at Brian's Bridge,[3] lower down the stream, a force which, being supported by cannon planted on the shore it had left, sufficed to put to flight 2,000 Irishmen under Castlehaven's command. Ireton was thus enabled to establish himself on both sides of the river. The shipping of the Commonwealth rode at anchor below Limerick, and secured the landing of supplies. Unless succour arrived, the surrender of the city was a mere question of time.[4] Before the end of June the arrival of succour had been rendered well-nigh

May 31. Coote in Connaught. June.

[1] Commissioners to Lenthall, April 19, *Ludlow*, i. 488; *Several Proceedings*, E, 786, 4.

[2] Diary of a Parl. Officer, *Gilbert*, iii. 226.

[3] There was no bridge there.

[4] Diary of a Parl. Officer, *Gilbert*, iii. 230; Castlehaven's *Memoirs* (ed. 1680), 129. Ludlow (i. 268) gives an excellent account of the passage of the Shannon.

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impracticable, as Coote, having slipped past Clanricarde's scanty forces, had broken into Connaught.[1] Athlone, Loughrea, and Ballinasloe fell easily into his hands.[2] Moving parties kept the Tories in check.[3] In July Broghill defeated Muskerry, and drove him back yet further into the hills.[4]

July. Broghill's victory.

June 14. The attack on Limerick opened.

Meanwhile Ireton had done his best to carry Limerick by storm. On June 14 he opened an attack on two forts, the one on a weir about two miles above the city walls, and the other on the western end of the Thomond Bridge which led from the city itself across the Shannon. The first of these was carried on the 16th, and the second on the 21st. On the 23rd an attempt made to gain possession of King's Island, on part of which the English town was built, was repulsed with heavy loss. Ireton abandoned the attempt to carry the place by force, and fell back upon a blockade.[5] It is possible that in deciding not to renew the assault Ireton was to some extent actuated by his knowledge that two parties were contending for the mastery within. On June 30, however, a week after his repulse on King's Island, the citizens rejected proposals made by him for a surrender. The more determined party had got the upper hand.

June 23. The attack repulsed.

June 30. Proposals for surrender rejected.

A colonel cashiered.

There was an irresolution in Ireton which showed itself not only in his conduct of a campaign, but in his want of grip over his subordinates. Against one military offence, indeed—the offence of killing

[1] Hewson to Lenthall, June 5, *Several Proceedings*, E, 786, 4.

[2] Ludlow's *Memoirs*, i. 270; Hewson to Lenthall, June 19, *Several Proceedings*, E, 786, 12.

[3] Commissioners to Lenthall, June 5, *ib.* E, 786, 4.

[4] Diary of a Parl. Officer, *Gilbert*, iii. 247.

[5] *Ib.* iii. 238–241.

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prisoners admitted to quarter—he sternly set his face, and he cashiered a Colonel Tothill who, after the capture of the fort on the weir, had been guilty of this crime.[1] At other times he was more indulgent to his own officers. Having ordered that four wretches out of a crowd attempting to pass his lines should be knocked on the head, he learnt that those to whom the execution of the sentence was entrusted had killed the whole party. We are told that Ireton was disgusted with this 'mistake of orders,' but we do not hear that he punished the offenders.[2]

The inhabitants attempt to escape.

Every week the situation of those within grew more desperate. The plague was raging in the city, and the more helpless of the inhabitants continued, in spite of the rough warning they had received, to make efforts to escape. Most of them were whipped back within the walls, but a few were hanged as an example to others, amongst them a girl whose father begged in vain to redeem her life by the sacrifice of his own.[3] Ireton, however, had no pleasure in cruelty, and his next step was to erect a gibbet in sight of the walls on which he hanged some criminals already sentenced to death, 'that those within might suppose that execution to be for coming out.'[4]

The plague in Limerick.

Those who try to escape are whipped back or hanged.

When October came the surrender of Limerick in spite of frequent messages from Ireton appeared

Oct. Limerick still holds out.

[1] Diary of a Parl. Officer, *Gilbert*, iii. 238–241; *Ludlow*, i. 274; Ireton to Lenthall, July 15, *Several Proceedings*, E, 786, 29.

[2] Diary of a Parl. Officer, *Gilbert*, iii. 440.

[3] It may have been thought necessary to execute a woman in order that women might be deterred from breaking out. It may be remembered how women had been thrust back on starving Colchester, *The Great Civil War*, iv. 200.

[4] *Ludlow*, i. 284.

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no nearer than before. The provisions within were not exhausted, and the war party counted on the inclemency of the approaching winter. "You," called out a sentry from the walls, "labour to beat us out with bombshells,[1] but we will beat you away with snowballs." Ireton, in fact, had discovered that the blockade was likely to be prolonged beyond his calculations, and, piously attributing to God his discovery that a battery might usefully be placed in a position which he 'had little observed before,' had opened fire on the city. This attack, which, as far as appears might have been adopted some weeks earlier,[2] proved immediately successful. On October 25, after a three days' struggle between the parties within the walls, during which Colonel Fennell, backed by the majority of the citizens, defied the authority of the Governor, seized one of the gates, and turned his guns upon his brother officers, the war party was compelled to yield. On the following day negotiations were opened for a surrender, and on the 27th articles were signed.[3]

Ireton opens fire.

Oct. 23–25. Struggle of parties.

Oct. 27. Surrender of Limerick.

For the most part the terms on which the surrender was accepted were modelled on those granted to Waterford. There was the same liberty of removal given to citizens and soldiers, the same announcement that those civilians who elected to remain might be forcibly expelled on three months' notice, Limerick, like Waterford, being destined in Ireton's mind to receive an English colony. In some respects

Terms granted.

[1] "So," adds the diarist, "they called our mortar-shot." *Gilbert*, iii. 253. The first instance of the word 'bomb' in this sense is given by Dr. Murray as in 1687.

[2] He had however been fortified in his resolve to continue the blockade by the council of war, Ireton to Lenthall, Nov. 3, *Gilbert*, iii. 266.

[3] Diary of a Parl. Officer, *Gilbert*, iii. 253. Account of the surrender of Limerick, *ib.* 263; Ireton to Lenthall, Nov. 3, *ib.* iii. 265.

the articles of Limerick differed from those of Waterford. In the preceding April the Commissioners had announced their intention of bringing to justice all Irishmen guilty of murders committed in or since the massacres of 1641,[1] and a special clause was now inserted to make known that nothing in the capitulation would be held to free those who benefited by it from proceedings taken against them in a civil court. As a special penalty for what was deemed by the victors a useless prolongation of the defence, twenty-two persons, including one Welsh deserter, were excepted from pardon in the same way as the superior officers had been excepted after the surrender of Colchester.[2]

Twenty-two excepted from pardon.

It did not however follow that all the twenty-two would suffer death. Many of them succeeded in effecting their escape. Of those who fell into the hands of the conquerors, O'Neill and four others were selected by the council of war for execution, though their cases were ultimately reserved for future consideration. Three more, Major-General Purcell, Alderman Stritch, and the Bishop of Emly, who, with Alderman Dominic Fanning, had been the soul of the defence, were discovered on the 30th, and promptly hanged. On the following day Fanning, who had concealed himself in his family monument in the church of the Franciscan monastery, was driven by hunger to leave his hiding place. In the church was a party of soldiers warming themselves by a fire. Their captain, suspecting his character, gave him a friendly kick and warned him to be off. Fanning's

Fate of those excepted.

Oct. 30.

[1] Proclamation of the Commissioners, Ap. 23, *Egerton MSS.* 1761, fol. 13.

[2] Articles of Surrender, *A Perf. Diurnal*, E, 791, 22. The name of the Bishop of Limerick is here omitted by an obvious error of the press.

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life might have been saved if a treacherous servant had not given his name to the officer, leaving him no choice but to arrest him.

Nov. 1. O'Neill pardoned.

On November 1 O'Neill and Geoffrey Barron, two of the five originally condemned, were again brought before the council of war. O'Neill pleaded that he had but done his duty as a soldier, and that he had raised his voice for an earlier surrender. Ireton carried with him the majority of the council to the side of severity, on the strange ground that the prisoner had caused the deaths of so many Englishmen in his heroic defence of Clonmel. Ireton however, seeing in the faces of the councillors signs of dissatisfaction, put the question a second time. This time the vote was given in favour of life, and English officers were spared the disgrace of putting to death an honourable opponent, on the excuse that he had been too successful.

Barron condemned.

As a civilian, Barron met with less favour in the eyes of soldiers. He had contributed to the resistance of Waterford, as well as to that of Limerick. He now exasperated his judges by pleading that his cause was the same as that of the English army—that of his religion and his country's liberty. Ireland, replied Ireton, sternly, was a conquered country, yet Irishmen had been treated with consideration far beyond their merits, having 'barbarously murdered all the English that fell into their hands.' As for religion, there was no comparison between the two peoples. Englishmen had fought to preserve their natural right, without pretending to impose their own religion on others. Irishmen belonged to a Church which would not be contented without power to compel all others to submit themselves to its claims on pain of death. It was the old argument repeated again and

again by every Englishman of the day. Irishmen were rebellious murderers. Irishmen were intolerant papists. What more needed to be said?

Execution of Barron, Fanning, and probably three others.

Barron met his death triumphantly, having decked himself in the white garments of a bridegroom. Fanning was hanged by his side. Two others, Sir Geoffrey Galway and Dr. Higgins, were executed subsequently. If, as appears probable, Woulfe, a friar, shared their fate, the number of victims is brought up to eight, though in his case the accounts are too divergent to enable us to speak with certainty.[1]

The defence of Ireland hopeless.

It is undeniable that from a purely military point of view the defence of Limerick was hopeless from the first. No army was in the field capable of relieving it, and there was no sober prospect that any such army could be raised. Before the fall of the city, it was made known even to the blindest that the scattered remnants of Irish resistance would find no support from beyond the sea. On October 7, Synott

[1] Of five—Purcell, the Bishop of Emly, Alderman Stritch, and Barron—there can be no doubt. To these a letter from the Irish Commissioners of December 18 (*Several Proceedings*, E, 791, 23) adds Galway and Higgins and no more. Ludlow places Woulfe's death in connection with that of the Bishop of Emly's, in which he is not borne out by anyone writing at the time except the author of the Account of the Surrender (*Gilbert*, iii. 263), who writes from hearsay and makes several mistakes. On the other hand Woulfe is stated in De Burgo's *Hibernia Dominicana*, 568, to have been put to death. The list given by the commissioners is derived from Colonel Abbot, who left Limerick as late as November 21, and would be likely to be accurate and complete. Possibly Woulfe died in confinement, and was counted as a victim. What Irishmen could believe is shown by the wild statement of the author of the Aphorismical Discovery (*Gilbert*, iii. 20), who says that when Limerick surrendered the captors ran hither and thither 'killing every mother's child they met . . . Three days and three nights were they in this bloody execution, no growte'—*i.e.* grotto, 'cellar, prison, church, or tomb—was unsearched, all therein found made piecemeals and hanged and quartered.' The various documents relating to the surrender are printed by Mr. Gilbert, iii. 263-272.

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1651 Oct. 7. News from the Duke of Lorraine.

Oct. 20. His offer rejected by Clanricarde.

returned to Galway with an agreement between the Duke of Lorraine and the two Commissioners, Plunket and Browne,[1] in accordance with which the Duke was to be styled the Royal Protector of Ireland, holding powers little short of those of royalty itself. On the 20th this offer was summarily rejected by Clanricarde as entrenching on his authority derived from the King. Irishmen in their death-agony had long passed the point in which such considerations had weight; and the Mayor and Corporation of Galway even chose an agent of their own to re-open the negotiation which the Lord Deputy fiercely denounced. The Duke was not likely to lead an army into Ireland on the simple invitation of the Corporation of Galway.[2]

Ireton did not live to profit by these distractions. On November 7 he died, a victim to the self-abnegation which refused to spare the body in the service of his country. The fever might have relaxed its grasp, if he had not struggled to the last against the slightest abandonment of duty. His countrymen, as has been so often the case, admired his disinterestedness, and suffered his inefficiency as a commander to be covered by success. They could not forget that when others had risen to wealth by their services in camp or council, Ireton had rejected a grant of 2,000*l.* a year, on the ground that it might be better spent in paying the debts of the Commonwealth. His body was brought to England and buried in Westminster Abbey with pomp which disgusted some of the more pronounced republicans. Posterity reverences him not only as the pure-spirited patriot that he was, but also as the author of the

[1] See 46.

[2] Clanricarde's *Memoirs*, 139-180.

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Heads of the Proposals, the advocate of a wide but sober liberty.[1]

On December 2 the Commissioners appointed Ludlow to command the army in Ireland till the pleasure of Parliament was known.[2] What was now needed was not a great general, but an energetic officer, and Ludlow was therefore the very man for the post. Before the end of the year the Commissioners calculated that there were still 30,000 Irishmen in arms scattered over the country, but their commanders were for the most part weary of a hopeless struggle, and prepared to withdraw from it if they and their men might be allowed to seek service under the King of Spain.[3] The conviction that submission could not long be avoided appears to have been shared by the party of the prelates who, by this time, had been forced to abandon all hopes of support from the Duke of Lorraine. Early in February 1652 Father Anthony Geoghegan, who was in their inmost secrets, expressed himself in favour of an agreement with the English Independents, and an appeal to their known principles in the matter of liberty of conscience.[4] This letter was

Dec. 2. Ludlow provisional commander.

Dec. 26. Report of the Commissioners.

Growing conviction that submission is inevitable.

1652. Feb. 4. Geoghegan's proposal.

[1] Ireton has been traditionally connected with what is now called Cromwell House at Highgate. It was certainly the property of his brother Alderman John Ireton, but I do not know of any evidence that it was ever owned by the Lord Deputy. The signatures in a book of the proceedings of the governors of Highgate School alleged to be those of Henry Ireton are really John's, and that too written some years after Henry's death.

[2] Order of the Commissioners, Dec. 2, *Mr. Dunlop's Transcripts*.

[3] The Commissioners to the Council of State, Dec. 26, *ib.*

[4] Geoghegan to Haly, February 4, *Gilbert*, iii. 286. This letter appears to me conclusive of the part taken by Geoghegan, and convinces me that the glosses placed by the author of the Aphorismical Discovery, and by himself on his words are quite worthless. Examination of Geoghegan, Feb. 13; *ib.* iii. 53, 54, 289.

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His conflict with Clanricarde.

intercepted by Clanricarde, and Geoghegan was arrested as a traitor. The time had passed when defiance of Charles II. could count for treason in Ireland. The prelates claimed Geoghegan as amenable only to ecclesiastical proceedings; and having once got him into their power, naturally failed to discover any evil intention in his letter.[1]

Feb. 14. Clanricarde offers to treat.

The immediate result of Geoghegan's letter was a resolution taken by Clanricarde to make the best terms with the conquerors. On February 14 he wrote to Ludlow, asking for a meeting of commissioners to treat for a settlement of the kingdom on equitable terms.

Feb. 20. Ludlow's reply.

Ludlow contemptuously rejected the proposal. What he wanted was not negotiation, but submission. "The settlement of this nation," he declared, "doth of right belong to the Parliament of the Commonwealth of England, to whom we leave the same, being assured they will not therein capitulate with those who ought to be in subjection, yet stand in opposition to their authority."[2] Ludlow might well take a high tone. He knew that starvation, if not the sword, would soon make resistance impossible. The hideous work of burning and destruction went gaily on.

March 7. Submission of Fitzpatrick.

On March 7 Colonel John Fitzpatrick made his submission in West Meath. All persons under him having had a hand in the murders or massacres of English or other Protestants in the first year of the war, or in any murders of persons not in arms since that date were excepted from pardon. All the rest of his party might either transport themselves to foreign parts, or live peaceably in Ireland, submitting to the ordinances of

[1] Aphorismical Discovery, *Gilbert*, iii. 54, 55.

[2] Clanricarde to Ludlow, Feb. 14; Ludlow to Clanricarde, Feb. 20, Ludlow's *Memoirs*, i. 504.

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Parliament. Priests, Jesuits, or others of the popish clergy were, however, not to be allowed to reside in the parliamentary quarters.[1]

March 23. O'Dwyer's submission

Fitzpatrick's example was quickly followed. On March 23 O'Dwyer, commanding in parts of the counties of Tipperary and Waterford, submitted on somewhat similar conditions.[2] Roscommon surrendered on April 3, Jamestown on the 7th, Galway on May 12. So many were the local submissions, that on the day on which Galway surrendered, articles were signed at Kilkenny with the forces then standing out in Leinster, to which those in the other provinces were invited to accede. In the main these articles resembled those granted to Fitzpatrick, but, as an additional concession, the Irish Catholics were assured that the Act passed at Westminster for the repeal of the recusancy laws should be held valid in Ireland, so that no one would be prosecuted for refusing to be present at a Protestant service.[3] The summer was employed in the suppression—with no tender hand—of the scattered parties which continued to hold out. In one or two isolated positions indeed the struggle was prolonged even beyond the year. Innisboffin did not surrender till February 14,[4] and a castle on an island on Lough Oughter not till April 27, 1653.[5]

April 3–May 12. Surrenders of Roscommon, Jamestown, and Galway.

May 12. The articles of Kilkenny

General submission.

1653. Surrender of Innisboffin and Lough Oughter.

Heavily had the Irish people suffered. A calculation, rough indeed, but proceeding from a competent statistician, reckons the diminution of the native

Diminution of the Irish population.

[1] Agreement with Fitzpatrick, March 7, Mr. Dunlop's *Transcripts*, No. 140.

[2] Agreement with O'Dwyer, March 23, *Gilbert*, iii. 294.

[3] Articles of Kilkenny, May 2, *Gilbert*, iii. 95; Additional Articles, May 12, *ib.* iii. 315.

[4] Articles, February 14, *ib.* iii. 364.

[5] Articles, April 27, *ib.* iii. 374.

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population as 616,000 out of 1,466,000.[1] Those who perished were the victims of plague and famine, as well as of the sword.[2] Since Cromwell's departure, famine had been deliberately employed as a means of overpowering the scattered remnants who took refuge in bogs and mountains.

Growth of the national spirit.

The hand of the Englishman was everywhere felt, with the result that the spirit of Irish nationality had never risen higher than on the day when its outward manifestation seemed hopelessly beaten to the ground, because it found a home in the breasts of all who, from whatever race they might be descended, were treated as outcasts on account of their devotion to the Roman Catholic religion. Two centuries before the English sovereigns had been confronted by a congeries of Irish tribes. The English Commonwealth was confronted by an Irish nation. The people under its clergy had shed the organs—the Supreme Council, the Lord Lieutenant, the Lord Deputy—which fostered the notion that Ireland was but part of a larger community inhabiting the whole of the British Isles.

Difficulties of the conquerors.

It was this steady growth of Irish national feeling which constituted the real difficulty of the conquerors. Merely to deal with the murderers of 1641, or even with the leaders of the insurrection which followed, would have been comparatively an easy task. The murders and the insurrection were but an episode in the deplorable history of that long strife of which Englishmen took little heed. It was only in the nature of things that England should set herself

[1] Petty's *Political Anatomy of Ireland* (ed. 1891), p. 18.

[2] Petty sets down 87,000 deaths as due to the sword, and 412,000 to plague, leaving the remainder to starvation, but his calculation is very loose, *ib.* p. 20.

against the establishment of a hostile nation in Ireland; only in the nature of things that her attempt to hinder it by main force should be the fruitful source of unnumbered miseries. It was no longer possible to revert to the intelligent policy of Henry VIII., and to govern Ireland by rulers developed within herself. Mary, Elizabeth, James, and Strafford had struck another note, each time with increasing emphasis. The Commonwealth, in its own conceit so innovating, could find no other way than to tread in the steps of its immediate predecessors.

CHAPTER XX.

THE SUBMISSION OF SCOTLAND AND THE COLONIES.

England and Scotland.

In Scotland, even more than in Ireland, English conquest had resulted from measures taken in self-defence. In 1648, indeed, Cromwell, after the destruction of Hamilton's army, had generously offered his alliance to the Argyle Government on the understanding that neither country should interfere with the political or ecclesiastical institutions of the other. That understanding had broken down, partly in consequence of the King's execution, partly on account of the abhorrence with which the Scottish clergy viewed the predominance of a sectarian army in England. When the younger Charles had been proclaimed in Edinburgh as the Sovereign of both kingdoms, an armed conflict between the two peoples had become inevitable, and after a second Scottish invading army had been crushed at Worcester, it was for the English Government to pronounce upon the future relations of the two countries. For the present Scotland was incapable of prolonging her resistance. During the last three years at least 40,000 of her hardiest sons had been either slain or swept into captivity.

Scotland to be disarmed.

It was, therefore, a foregone conclusion that Scotland must be disarmed, and the English Government can hardly be severely blamed if it imagined that it could temper the bitterness of the cup by offering to

her neighbours beyond the Tweed incorporation with England and a full share in the privileges of Englishmen—the very offer, in short, which had recently been made to the citizens of the United Provinces. The work would appear the easier as no racial distinction separated the Lowland Scot from the Northumbrian, whilst, with the tolerant ideas prevailing at Westminster, it might appear not so very difficult to surmount even the obstacles caused by the rooted Presbyterianism of the North. Of the strength of the national spirit—all the more powerful because Lowland Scotland was a comparatively small and scantily populated territory—there was probably but little idea in the English Parliament. Yet this was precisely what it was most important for Englishmen to take into account. If Scotland could not be conciliated, she must be coerced, and, strong as England was, the cost of coercing Scotland might be great enough to weaken the government even of England herself.

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When once, however, the Parliamentary statesmen had resolved on their line of action, there was no room for hesitation. In January 1652 the situation was regularised, so far as the military authorities were concerned, by the assessment on each county of an enforced contribution in lieu of the free-quarters demanded for the English soldiers as long as a state of war was understood to prevail.[1] The political settlement of the country required more forethought. On January 15 a body of eight Commissioners, amongst whom were Vane and St. John, as well as Monk, Deane, and Lambert, took up their residence at Dalkeith, having been instructed to

1652. Jan. An assessment levied.

Jan. 15. English Commissioners at Dalkeith.

[1] *A Perf. Diurnal*, E, 793, 21.

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obtain from the Scots themselves what might pass as a voluntary assent to a union with England.[1]

Presbyterian opposition.

Of voluntary assent in any real sense there was but little to be found. There were, indeed, a few persons calling themselves Presbyterians prepared to make a merit of necessity and to give in their submission to the English Commonwealth, but the two great parties in the Kirk, however hostile to one another, were united in their rejection of this course. The Resolutioners had rallied too ostentatiously round the banner of the King to abandon it now, whilst the Remonstrants, or Protesters as they were more frequently called, were the backbone of resistance to an English government for the very reasons which had made them hostile to Charles whilst he was still in Scotland. It was their part to vindicate the independence of the Kirk in the face of sectarian foreigners, as they had already vindicated it in the face of a worldly and hypocritical king. They would never, they boldly declared, acknowledge a system of government which would bring in its train the establishment of toleration and the subordination of the Church to the State in the things of Christ.[2] Strange to say, it was mainly to the Royalist gentry that the Commissioners could at present look for support. Dislike of the severe discipline of the Kirk formed a common bond between them. Sir Alexander Irvine of Drum, himself a Roman Catholic,[3] not only refused to appear before the Presbytery of Aberdeen, but appealed to Monk on the ground that he was unable to acknowledge the judicature of the Church courts

Royalist support.

Case of Irvine of Drum.

[1] *C.J.* vii. 30; *Perf. Diurnal*, E, 793, 18.

[2] *Ib.* E, 793, 21; Johnston of Warriston and others to Lambert, Jan. 20, *ib.* E, 793, 24.

[3] This name occurs a few years later in a list of Roman Catholics amongst the *Roman Transcripts R.O.*

'as not being established by the Commonwealth of England.'[1]

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In the long run it would little profit the English Commonwealth to rely on Scottish Royalism, and the Commissioners were therefore well advised in attempting to secure the goodwill of the bulk of the population by the encouragement of material prosperity. On January 21 they issued a proclamation at the Market Cross of Edinburgh, declaring their resolution to provide for the administration of justice, as well as to withstand the exercise of any authority not derived from the Commonwealth of England.[2] To give emphasis to this last announcement the King's arms and the crowned unicorn on the Cross were battered down on February 7, the crown being suspended to the gallows.[3] The ancient kingdom of Scotland, proud of her glorious traditions, was no longer to be counted amongst the nations of Europe. In compensation, she was to share in the liberties of Englishmen. Then followed an appeal to the material interests of the people. The estates of those who had invaded England in 1648 and 1651 were to be confiscated to pay the expenses of the war, and the lands thus acquired by the Commonwealth were to be leased at easy rates, thereby enabling the cultivators of the soil 'to live with a more comfortable subsistence than formerly, and like a free people delivered through God's assistance from the former slavery, vassalage, and oppressions.'[4] The offer was precisely the same as that which Charles I. had vainly attempted to lay before the Scottish people when he faced their army on Dunse Law.[5]

Jan. 21. Provisions for the administration of justice announced.

Feb. 7. Destruction of the symbols of royalty.

Feb. 12. Scotland to be incorporated with England.

Confiscated lands to be let at easy rates.

[1] *Perf. Diurnal*, E, 793, 28.
[2] Nicoll's *Diary*, 80.
[3] *Ib.* 81.
[4] *Ib.* 81–82.
[5] *History of England*, 1603–1642, ix. 9.

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Feb. 13. The tender of incorporation.

The Commissioners were at least able, as Charles I. had been unable, to secure that such proposals should reach the ears of those for whom they were intended. A beginning was made on March 13, when the declaration was read at Dalkeith to a deputation from the shires and burghs.[1] The deputies were then asked to signify within a week their acceptance of the 'tender,' as it was called, of incorporation with England, upon which their advice would be taken on the best mode of carrying it into practice. To make their way easier, an explanation of the 'tender' was added, assuring the protection of the Government to all ministers following the order of the Scottish Kirk, as well as to those who preferred worshipping in another way.[2]

A general toleration offered.

Displeasure of the clergy.

Attractive as this offer may have appeared to the English Commissioners, it was gall and wormwood to the Scottish clergy and to that numerous section of the laity which was under their influence. Their party was so strong in Edinburgh, that it required all the efforts of the Commissioners to exclude it from the magistracy of the town.[3] Though there was scarcely less difficulty and delay in securing the acceptance of the 'tender' by the deputies of the shires and burghs, yet on March 16 Vane, who had by that time returned to England, was able to report that, with few exceptions, the shires and burghs of Scotland had bent under the yoke.[4] On March 18

March 16. Vane announces that the 'tender' has been accepted.

[1] *Merc. Pol.* E, 654, 1; *The Faithful Secret*, E, 793, 27.

[2] Nicoll's *Diary*, 83. Nicoll speaks of the explanation as having been given on the 11th, which must be a mistake, as the main declaration was not proclaimed till the 12th. The explanation, which was signed on the 12th, was no doubt read to the deputies on the 13th (*Perf. Diurnal*, E, 793, 32).

[3] *Merc. Pol.* E, 655, 6; Nicoll's *Diary*, 87.

[4] *Several Proceedings*, E, 793, 37; *Perf. Diurnal*, E, 794, 5; *C.J.* vii. 105.

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an Act for the incorporation of Scotland with England was brought in at Westminster, accompanied by a declaration which announced the intended union, and instructed the Scottish constituencies to choose deputies who were in turn to choose a committee with full powers to discuss and assent to proposals for carrying out the scheme. On April 13[1] the Act received a first and second reading, after which its progress was suspended, presumably to give time for the election of the committee.

March 18. Act brought in for a union.

Accompanying declaration.

April 13. The Act read a second time.

On April 21 the declaration for a union and for the election of a committee to approve of the details was read at the Market Cross at Edinburgh in the presence of a vast multitude. The English soldiers shouted their approval 'as complying with Parliament in their free conferring of liberty upon a conquered people.' The Scottish crowd gave no sign of satisfaction. "So senseless," remarked an English reporter of the scene, "are this people of their own goods that scarce a man of them showed any sign of rejoicing, though the most flourishing of their kings would have given the best jewel in their crown to have procured a vote in Parliament for their equal shares in the laws of England."[2]

April 21. The declaration for a union read at Edinburgh.

Its reception by the people.

The writer of these words knew as little of Scottish history as he knew of the temper of the Scottish people. A reversion to the policy of Edward I. was hardly likely to win favour amongst the sons of the victors of Bannockburn. "As for the embodying of Scotland with England," said Robert Blair, a minister by no means of an advanced type, "it will be as when the poor bird is embodied into the hawk that hath eaten it up."[3] The patriotism of a small

Scottish feeling.

[1] *C.J.* vii. 107, 118. [2] *Perf. Diurnal*, E, 794, 32.
[3] *Life of Blair*, 291.

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nation may, indeed, broaden out in time into a larger patriotism freely offered and freely received; it will never surrender itself to the masters of victorious legions.

The regalia at Dunottar Castle.

If the national independence of Scotland had still a material symbol within the realm, it was to be found in the regalia—the golden crown which had been placed on the head of Charles at Scone, the golden sceptre which had been borne before him, and the sword, the gift of Julius, the warrior Pope, to the fourth James,[1] which the second Charles had falsely grasped as a token of his resolution to defend the Kirk against all her foes. When the enemy poured in like a flood, these precious relics of a glorious past were hurriedly conveyed to Dunottar Castle, the stronghold from the walls of which the Earls Marischal looked proudly down upon the waves of the German Ocean. By the end of April every other fortress in Scotland holding out for the King had fallen; but after the castles of Dumbarton, Brodick, and the Bass had fallen into the hands of the invaders, Dunottar continued to resist their efforts. At last, on May 26, its governor, George Ogilvy, was compelled by stress of hunger to capitulate to the besieging force under Colonel Morgan, and to engage himself to deliver up the regalia to the conqueror.[2] When the besiegers marched in, the treasure—in Scottish eyes the most valuable reward of their victory—was nowhere to be found. As a matter of fact, the governor's wife had already sent the regalia out of the castle, concealing them in a bag of flax carried on a woman's back. The bearer delivered them to Mrs. Grainger, the wife of the

Fall of Dumbarton, Brodick, and the Bass.

May 26. Surrender of Dunottar.

[1] *Papers relative to the Regalia of Scotland*, 23.

[2] *Perf. Account*, E, 677, 5; *Perf. Diurnal*, E, 795, 19.

minister of Kineff, who buried them under the floor of the church to await better times. Both Ogilvy and his wife were imprisoned for seven months, but were finally liberated on bail, upon the asseveration of the lady that the regalia had been carried beyond sea by a son of the Earl Marischal.[1]

Holding as they did every existing fortress in Scotland, the conquerors had but one district to secure to render their position in the Lowlands impregnable. It was necessary to keep an eye on the fanatical Whiggamores of the West, and, to ensure their submission, orders were given for the construction of a new fort at Ayr.[2] The erection of new fortresses intended to bridle the Scots was accompanied by the demolition of ancient ones no longer necessary for the purpose. On April 3, the old Castle of Blackness was blown up, and it was reported that the devil was visibly seen sitting on the walls at the time of the explosion,[3] holding grimly on, it may be supposed, to the fastness within which so many faithful Presbyterian ministers had expiated their revolt against the royal authority over ecclesiastical causes.

A fort constructed at Ayr.

April 3. Destruction of Blackness.

The times were, however, passed when an invader could content himself with securing the Lowlands. However little of national spirit was to be traced in the policy or action of the Highland clans, Montrose had contrived to rally many of them to his master's cause, and though the commanders of the army of the Commonwealth had no such

Danger from the Highlands.

[1] Ogilvy's account is printed in *Papers relative to the Regalia of Scotland*, published by the Bannatyne Club. At the Restoration the young man's mother was base enough to obtain honours and a pecuniary reward for her son, on the ground that he had really conveyed the regalia abroad. Additional information will be found in *Papers relative to the Preservation of the Honours of Scotland*, published by the Scottish History Society.

[2] *Several Proceedings*, E, 794, 21.

[3] Nicoll's *Diary*, 92.

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enemy as Montrose to fear, they were awake to the danger of leaving a long stretch of coast open to Royalist agents.

Argyle's co-operation needed.

Though, under these circumstances, it was of the first importance to secure the co-operation of Argyle even in his present reduced condition, those who represented the Commonwealth in Scotland were resolved not to buy even his co-operation at too high a price. Ever since the Scottish defeat at Worcester, Argyle had been negotiating with a view to the assumption of a mediatory position by himself, with the support of some Parliamentary or other body which might represent, or appear to represent, Scotland in the face of the English officials. What he wanted, in short, was to revert, so far as it was still possible, to his position in 1648, and to place Scotland—naturally under his own influence—in close connection with England, though with some independent action in her domestic government. It was precisely what the English Parliament had resolved never to tolerate either in Argyle or in any Scottish person or assembly whatever. After a succession of interviews and correspondence with the English Commissioners, Argyle was driven to consent to the bare acceptance of the 'tender' by his clansmen, and on April 26 that acceptance was signified by their deputy at Dalkeith.[1]

He aims at a mediatory position.

Deane's command in Scotland.

The course of military events soon required a more direct personal submission. Monk and Lambert had returned to England early in the year, and Deane, who had been left in command, resolved

[1] The details of this negotiation are given in Mr. Firth's introduction to *Scotland and the Commonwealth* (Scottish Hist. Soc.), and in the documents there referred to.

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that himself and Robert Lilburne should advance into the Highlands by a double line from Argyle's country and Inverness. In August, Deane himself appeared at Inverary. On the 12th of that month, Argyle, reserving his 'duty to religion, according to his oath to the Covenant,' agreed, so far as civil government was concerned, to accept for Scotland a republican Constitution in common with England, and to live peaceably until the necessary arrangements could be made.[1] On the 19th an agreement was signed, in which the Marquis not only engaged for himself and his clan to submit to the English Government, but promised that either himself or his son, Lord Lorne, would come to England as a hostage on being summoned by Parliament to fulfil the obligation.[2] He further admitted Deane's right to place garrisons in his territory. Five garrisons were accordingly established, but scarcely was Deane's back turned, when three of them were overpowered by the Highlanders. The progress of the main expedition was impeded less by active opposition than by scarcity of provisions; and in the autumn Deane's attempt to subjugate the Highlands was necessarily abandoned for the year. On October 27 a fresh agreement was made, in which Deane limited his right of garrisoning to Dunstafnage and Dunolly, so long at least as the Campbells kept the peace.[3] Argyle—like Scotland at large—was no doubt ready to bow to necessity, but there could be no pretence of his having accepted the situation with pleasure.

Aug. 19. His agreement with Argyle.

Failure of his attempt to reduce the Highlands.

[1] Declaration by Argyle, Aug. 12, *Scotland and the Commonwealth*, 50, note 1. [2] Articles of Agreement, Aug. 19, *ib.* 48.

[3] Agreement, Oct. 27, *ib.* 55. The details of the invasion of the Highlands are given in the English newspapers, some extracts from which are printed by Mr. Firth in his appendix.

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Discipline of the troops.

It was the business of the English authorities to superinduce, if they could, a better state of feeling. The payment of customs at Berwick and Carlisle was brought to an end. That the troops were kept in an exemplary state of discipline could not be denied. Courts-martial dealt out justice to the complaints of the peasantry, and those hardships which are often the lot of a population exposed to the arrogance of an occupying army were seldom heard of, and, on the rare occasions on which they were reported, were ruthlessly punished. It was also the aim of the Government of the Commonwealth to right the wrongs which the poor endured from civilian oppressors. The administration of justice in Scotland had been notoriously under the influence of powerful families, and it was at the destruction of those families that the English Government was aiming. On April 8 the Council of State appointed seven judges, four of whom were English, to form a provisional Court of Judicature.[1] On May 18 this Court established itself in Edinburgh.[2] If fair and open dealing could win the hearts of Scotsmen, the desired end ought now to have been in sight. "Justice," explained an Englishman, "was wont to be open and free formerly for none but great men; but now it flows equally to all; which will, in a short time, make them sensible from what bondage they have been delivered."[3] "Now," wrote another, "the people begin to meddle with many great men against whom, heretofore, they durst not complain."[4] "To speak truth," was the half-reluctant admission of a Scot, "the English were

Administration of justice.

April 8. New judges appointed.

May 18. They take their seats.

Equal justice.

[1] C. of St. Order Book, *Interr.* I, 66, p. 546.

[2] *Several Proceedings*, E, 795, 12.

[3] *Merc. Pol.* E, 682, 2.

[4] *Perf. Diurnal*, E, 795, 15.

more indulgent and merciful to the Scots, nor was the Scots to their own countrymen and neighbours, and their justice exceeded the Scots' in many things, as was reported."[1] CHAP. XX. 1652

Time alone could discover whether the good intentions of the English Government would avail in Scotland to convert a nominal into a real union. In the case of the Colonies there were fewer difficulties. In the first place, their commercial interests drew them to the mother country. In the second place, none of them were sufficiently developed to have acquired a sense of nationality. The sympathies of the New England and Newfoundland settlers were enlisted on the side of the dominant party at home, whilst the remainder, Virginia, Maryland, the Bermudas, Barbados, Antigua, St. Kitts, and the smaller adjacent islands were Royalist rather through the temporary predominance of a particular party, than from any rooted objection of the bulk of the inhabitants to accept the supremacy of the Commonwealth. It was therefore to be hoped that a merely temporary application of force would bring back normal relations between the recalcitrant colonies and the mother country. England and the Colonies.

Resistance had been strongest at Barbados, where, since the spring of 1650, the Royalist governor, Lord Willoughby, had been in possession of authority, at least so far as he was allowed to exercise it by the Cavalier refugees, who in reality held power in the island.[2] On February 18, 1651, the Assembly of the Island supported Willoughby by a declaration in which they refused submission to a Parliament where they were unrepresented; and in answer to the Act by which Parliament 1650. Royalism in Barbados. 1651. Feb. 18. Declaration of commercial independence.

[1] Nicoll's *Diary*, 104.

[2] See vol. i. 350-352.

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had forbidden all commercial intercourse with the colonies in rebellion,[1] asserted the right of Barbados to trade with the Dutch or with any other nation. For some time it seemed as if the mother country had no intention of taking up the challenge. Ayscue's fleet, appointed to reduce the colony, had been kept back to take part in the operations against the Scilly Isles,[2] and it was not till October 15 that its sails were descried from the island.

Oct. 15. Arrival of Ayscue's fleet.

Seizure of Dutch shipping.

Ayscue fails to reduce Barbados.

Ayscue's first action was to seize fourteen Dutch vessels waiting for a cargo, on the ground that they were infringing the recent Act. He found it less easy to secure a footing on shore. Emboldened by a rumour that Charles had won the day at Worcester, the colonists rallied to the defence of their commercial independence. Six thousand men were soon under arms, and Ayscue could make little impression on such a force. The arrival, however, of more accurate intelligence from England convinced the less ardent Royalists that it was better to come to terms with the Commonwealth than to prolong a now hopeless struggle, and this party, headed by Colonel Modyford, was strong enough to force Willoughby to accept its views. Ayscue showed himself generous to adversaries whose strength was indisputable; and on January 1652 'articles of agreement' were signed on behalf of the colony on the one side and the representatives of the Commonwealth on the other.

1652. Jan. 11. Articles of agreement.

These articles involved a surrender by the islanders of all claim to political autonomy in consideration of the full acknowledgment of their financial and commercial independence. Willoughby and a few of his leading supporters were to quit

[1] See vol. i. 352.

[2] *Ib.* 361.

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the colony, but were to be allowed to retain their property. There was to be almost complete liberty of conscience. 'No taxes, customs, loans or excise were to be levied without the consent of the inhabitants expressed in a General Assembly. Trade was to 'be free with all nations that do trade or are in amity with England.' [1] CHAP. XX. 1652

The submission of the other West Indian colonies followed as a matter of course. A small force sufficed to bring Virginia to acknowledge the authority of the Commonwealth. As in Barbados, there were two parties, one represented by the Governor, Sir William Berkeley, and a Council of strong Royalist tendencies; the other by the elected burgesses—sitting together with the councillors in a single House of Assembly—who, if they did not sympathise warmly with the English Puritans, were not disposed to risk material loss by resisting them. As there were no Royalist refugees in Virginia to embitter the conflict, there was a mere appearance of resistance. The Governor had, indeed, brought together some 1,000 or 1,200 armed men at Jamestown, but the Assembly refused him its support, and on March 12 agreements were signed which brought the colony under the Commonwealth.[2] Governor and Council were alike to have leave to depart, and the people of Virginia were to 'have free trade as the people of England do enjoy to all places and with all nations according to the laws of that Commonwealth,' as well as to 'be free from all taxes, customs, and impositions whatever . . . with- March 12. Submission of Virginia,

[1] N. Darnell Davis, *Cavaliers and Roundheads in Barbados*, pp. 208–259.

[2] Doyle's *English in America: Virginia*, 281. The details of the proceedings before the signature of the agreement are given in a letter printed in *Merc. Pol.* E, 665, 3.

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out consent of the General Assembly.'[1] By a subsequent arrangement, the whole internal organisation of the colony was placed in the hands of the burgesses, who might be trusted not to break the connection established with the English Commonwealth.[2]

March 29, of Maryland,

Before the end of March Maryland had given way with equal facility. Here there were peculiar conditions which did not prevail in any other colony. There was a Roman Catholic majority exercising a wise toleration, and a vehement Puritan minority. The English Commissioners, however, contented themselves with enforcing submission to the Commonwealth in matters of government. Questions of domestic policy were left untouched, and not a word was said of those concessions in matters of taxation and commerce which had marked the agreements with Barbados and Virginia. The fact was that Maryland was a proprietary colony, and as the proprietor, Lord Baltimore, was residing in England, all questions arising out of his rights or his methods of government could be more fitly considered at home.[3]

and of the Bermudas.

With the submission of Maryland the whole colonial dominion of the Stuarts passed into the hands of the Parliament of the Commonwealth. The Bermudas, without waiting for a display of force, had already abandoned their attitude of resistance.[4]

Necessity of clearing the seas.

The establishment of friendly relations with the Royalist colonies necessarily brought with it the obligation of setting free the sea for the operations of commerce. Fortunately for the Commonwealth,

[1] Hening, *Laws of Virginia*, i. 363.
[2] *Ib.* 371, 372; see *Doyle*, 296.
[3] Bozman's *Hist. of Maryland*, 437–443.
[4] See vol. i. 350.

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no active measures were needed to overthrow the enemy from whom the greatest danger had been feared. For some months in the summer and autumn of 1651, Rupert had been hanging about the Azores,[1] where the Portuguese authorities were growing shy of supporting an enemy of the powerful Commonwealth. Caught in a terrific storm, his own ship sprang a leak and was soon in a sinking condition. In vain his crew entreated him to save himself by the help of a boat. He would rather, he said, perish with his comrades; and it was only by sheer force that faithful arms dragged him into the boat and transferred him to his brother Maurice's vessel. He had scarcely gained the deck when his own ship foundered with all hands before his eyes. Another of his consorts perished in the same tempest, and by the end of the year he was driven to carry those yet remaining to a desolate harbour on the West Coast of Africa, where they could be careened in safety. It was not till the end of May 1652, four months after the surrender of Barbados, that he made his appearance in the West Indies. Finding every harbour in the English islands closed against him, he threw himself on the hospitality of the French colonists, by whom he was gladly welcomed as an enemy of the English Commonwealth.

1651. Rupert at the Azores.

Wreck of two of his ships.

He repairs his fleet in an African harbour,

1652, May, and reaches the West Indies.

In all but name Rupert was embarked on a career of piracy, as far, at least, as English commerce was concerned; and, as soon as his little squadron was again ready for sea, he put out in search of prizes. He had not counted on the storms which sweep these tropical seas. A fierce hurricane swooped down upon him, and his own ship barely escaped destruction on the ill-famed rocks of the Anegadas. When the

The great hurricane.

[1] See vol. i. 350.

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Prince Maurice lost at sea.

storm had died away Rupert looked round him on a sailless sea. Some of his comrades had sought refuge in distant harbours. Of Prince Maurice no word ever reached mortal ears. Whether he had been dashed on the rocks which his brother had escaped, or had foundered at sea, was never known. Rupert could but tarry to pick up a few prizes, one of which was an English vessel, and with them he recrossed the Atlantic, putting into Croisic Bay early in 1653.[1] English commerce had received singularly little damage from his ill-starred adventure. Even before the days of steam and iron a basis of operations was essential to the success of naval warfare.

1653. Rupert returns to Europe.

1651. Result of the failure of the negotiations with the Dutch.

Long before Rupert's return, Parliament had adopted a restrictive commercial policy which was no doubt suggested by the failure of those exaggerated notions with which Strickland and St. John had undertaken their embassy to the Hague, but which was the more easily accepted as having its roots in the commercial ideas almost universally accepted at the time. In July, 1651, the two ambassadors had returned with anger in their hearts, and their personal mortification made them eager to enlist their countrymen in a design for exalting the commerce of England at the expense of that of the neighbouring republic.

Trade of Holland and Zealand.

Of the United Provinces, Holland and Zealand alone possessed harbours which enabled them to devote themselves to maritime traffic. Producing few commodities excepting cheese and butter these two provinces, and more especially the wealthier Holland, had in their hands not merely the whale-fishery of the Arctic regions, the herring-fishery

[1] Warburton's *Memoirs of Rupert*, iii. 328.

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of the North Sea, and the spice trade of the East, but the carrying trade of the world. The spectacle which had met Ayscue's eyes at Barbados, where he found Dutch ships employed in the transport of the produce of a soil not their own, was common enough in Europe. Even if an English gentleman wished to send his trunks to France, he was compelled to ship them in a Dutch bottom to Rotterdam, that they might be conveyed also in a Dutch bottom to Calais or Rouen.[1] Cheapness of freight was attained by the aptitude of Dutchmen for trade, by their familiarity with the sea, by the ease with which the use of capital could be obtained in a country in which peasants and small tradesmen were accustomed to invest their savings in commercial ventures, and by the facilities for applying capital to commercial purposes offered by the banks of Amsterdam and Rotterdam. Other causes combined to favour the trading spirit. The Provincial States of Holland and Zealand were filled with persons either themselves engaged in commercial pursuits or in close touch with those who were. The legislation and diplomacy of these men were directed mainly to the maintenance of the commercial supremacy of their country, and they were by no means scrupulous as to the means by which they attained their ends. Englishmen had not forgotten the refusal of the Dutch to do justice for the massacre of Amboyna,[2] or the mixture of force and fraud by which English traders had been driven from Pularoon, their last foothold in the Eastern Archipelago.[3] A few weeks before the arrival of St. John

The carrying trade.

Legislation and diplomacy of the Dutch.

[1] This was done by Sir R. Verney when he emigrated to France in 1643.

[2] *History of England*, 1603-1642, v. 242. [3] *Ib.* iii. 167, 407.

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Feb. 21. March 3. A treaty between the United Provinces and Denmark.

and Strickland at the Hague, the States General had ratified[1] a treaty with the King of Denmark, by which they acquired for thirty-six years the right of commuting the Sound dues payable by their ships for an annual contribution; and this concession was accompanied by an express declaration from the King that no other nation was to benefit by a similar act of grace.[2]

Dissatisfaction in England.

It was not difficult under these circumstances to rouse the indignation of Englishmen against their trade rivals, and there is no reason to distrust the tradition that it was St. John who urged Parliament to rid itself for ever of Dutch competition. At all events, a retaliatory measure, subsequently known as the Navigation Act, was recommended to Parliament by the Council of State, on August 5, 1651, though no effort was made to push it on till Cromwell's victory at Worcester had enabled Parliament to speak proudly in the face of foreign Powers. On October 9 it passed into law.[3]

Aug. 5. Introduction of the Navigation Act.

Oct. 9. It becomes law.

Commerce restricted by it.

Though, as far as language went, the Navigation Act made no distinction between one nation and another, it was well understood to be aimed at the Dutch alone. It prohibited the introduction into any territory of the Commonwealth of produce of any country in Asia, Africa, or America, except in vessels owned by Englishmen, or by the inhabitants of English colonies, and manned by crews of which more than one-half were of English nationality. Imports from any part of Europe might be brought in only in English vessels, or in vessels the owners of which belonged to that nation in which the goods were manufactured or produced. Henceforth the

[1] Aitzema, *Saken van Staet en Oorlogh*, iii. 654. [2] *Ib.* iii. 335.
[3] *C.J.* vii. 11, 27.

Dutch would be disabled from bringing into England or her colonies anything but the scanty produce of their own soil. It is true, indeed, that the Dutch were not forbidden to exchange their own products for the sugar produced in the English West Indian colonies, so long as the sugar was carried by them to a continental port. For all that the Dutch trade with these colonies was practically annihilated, because Dutch vessels arriving at Barbados or Antigua would henceforward be compelled to cross the Atlantic in ballast, neither butter nor cheese being adapted for consumption within the tropics. The gains of the Dutch fishermen were equally stricken, so far as English consumption was concerned. Salt-fish and fish-oil were to be imported only in English vessels, and salt-fish was to be exported only on the same terms.[1]

The Act consonant with the ideas of the time

Though the Navigation Act was passed in a fit of irritation, it was too thoroughly in unison with the economic ideas of the time to be regarded as a mere reprisal. It sought to provide employment for the English mariner and fisherman and business for the English merchant at the expense of raising the price of commodities to the English consumer. In the colonial policy of England it worked a change no less in harmony with the prevailing current of ideas. For a time after the outbreak of the Civil War, there had been a tendency to subordinate all other considerations to spiritual and ideal aims; to advance the godly and depress the profane had been the aim of statesmen and soldiers. Now, as ever happens, the neglected body of man, with its material needs and passions, was beginning to assert itself. Though there had

[1] *Scobell*, ii. 176.

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been an ideal element in the conquest of Ireland and Scotland, a desire to render the populations of those countries better and happier by forcing upon them in the one case English religion, in the other case English justice and toleration, there had been a painfully material side as well: a greed for land or power, and, at the best, a determination to impose the English yoke upon peoples firmly purposed to lead their own life in their own fashion. The new commercial policy did not profess to have other than material aims. The intention of its framers, by the very nature of the case, was not to make England better or nobler, but to make her richer.

Growing influence of material ideas.

1652. Aug. 18. Confirmation of the Barbados agreement

About ten months after the passing of the Navigation Act, the agreement entered into by Ayscue with Barbados and Virginia came up for consideration in Parliament, the articles of Barbados being confirmed on August 18, and those of Virginia on August 31. At first sight it appears that at least in the Barbados case a settlement had been arrived at, which, by precluding the right of the English Parliament to levy taxes, direct or indirect, in the colony, or to put a stop to its freedom of trade with foreign countries in amity with England,[1] would, if only these terms had been granted to other settlements, have gone far to postpone, if not to avert, the rupture which tore the colonies on the mainland of America from the parent stem. Yet, important as the issue was, there is no evidence that there was any serious debate on the subject, and the unanimity with which the treaties were confirmed may perhaps be attributed to the fact that when they were laid before Parliament, England was already at war

Aug. 31. and of that with Virginia.

[1] See p. 77.

with the Dutch. The confirmation of the article admitting foreign shipping of nations in amity with England to Barbados, would therefore have no effect at all for some time to come.[1]

The Navigation Act indicates a reactionary feeling.

It is noteworthy that the Navigation Act was the one legislative achievement of the Common-

[1] The Navigation Act of the Commonwealth prohibited imports into English colonies when brought by foreign shipping, unless the cargoes were produced or manufactured in the countries to which the ships belonged. Still this was not actually a stoppage of trade, and Mr. Darnell Davis informs me that the local records of Barbados show no trace of any objection to the restriction of trade after the conclusion of the Dutch war. It was the Navigation Act of Charles II. which forbade exports as well as imports in foreign bottoms. It is to this full-blown system that Mr. J. A. Doyle refers in discussing the results of the Act. "In considering the Navigation Act," he writes, "we are liable to two errors. We should be wrong if we judged it either by the events of the eighteenth century, or by the political theories of the present day. The doctrine that the community is most benefited when its means of production are allowed the fullest and most spontaneous development, had but dawned on the speculative thinkers of the seventeenth century, and assuredly no reasonable man will find fault with practical statesmen for being in the rear of theory. Nor is it fair to blame the originators of the system embodied in this Act for the evil results that flowed from that system a hundred years later, when the social and industrial life of our colonies had undergone great changes. Yet even after these deductions we cannot set down the Navigation Act as a measure of undoubted expediency or unmixed wisdom. In subordinating the welfare of the colonies to the commercial prosperity and naval greatness of the mother country, the Long Parliament was in some degree reverting to the principles of the sixteenth century. To make England the centre of a great naval empire was the idea ever present to the minds of Gilbert and Raleigh and their followers, and the colonisation of America was mainly valued as a step towards that end. Under the Stuarts that ambition had given way before meaner views, and, like the foreign policy of Elizabeth, it revived under the sway of the Protector. But though the principle of the Navigation Act might be ambitious and elevated as it concerned the mother country, it was repressive and blighting in its effect on the colonies. In the middle of the seventeenth century, indeed, its influence was but slightly felt. It did not weigh down the industry of the colonies because that industry scarcely existed, but it hindered the development of it. It condemned the plantations to be, commercially at least, little better than factories for the benefit of English trade."—*The English in America—Virginia, &c.* 297.

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wealth which not only found favour in the eyes of the Parliament of the Restoration, but was actually rendered more stringent in 1660, nor is the reason far to seek. The framers of the Act, convinced Republicans as they were, had changed the course of the ship of State, and were, all unwittingly, heading towards a restoration. If the leaders of the Commonwealth were to be but as the leaders of other nations, to seek after material wealth and material power, what end was to be served by keeping them in authority? The old monarchical system would serve the purpose just as well. The empire of custom, on which its claims were based, would be more in harmony with the demands of a nation eager to become rich than a government which professed to hold its title from the Lord of Hosts, and justified its claim by giving free scope to religious enthusiasm and projects of social reform.

International significance of the Act.

Nor was the significance of the Navigation Act confined to domestic politics. In the international relations between England and the continental Powers it led the way to new developments. During the century and a quarter which preceded

Religious and commercial wars.

the Treaties of Westphalia, religion had been, if not the exclusive cause, at least the frequent pretext of the wars by which Europe had been desolated. In the wars which raged for nearly a century and a half after the signature of those treaties questions of commerce took the place formerly occupied by questions of religion. Of these wars, the first was that which broke out in 1652 between England and the Dutch Republic, and though that war was not directly brought on by the Navigation Act, the commercial restrictions imposed by the new legislation at least created a

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tension of feeling between the two nations which could not fail to pass rapidly into open hostility.

Cromwell's attitude towards them.

It might seem that, of all men living, Cromwell was best suited by nature to stand forth as a mediator between the old enthusiasm and the new commercialism. The zeal with which he had thrown himself on the side of religious and social reform won him the high praise of Milton. Yet he also took the warmest and most practical interest in his country's greatness and prosperity. He was as eager in the seventeenth century as Chatham in the eighteenth to foster commerce, and the necessary condition of commerce, maritime power. It is mainly this combination of interests which has raised Cromwell to the position of the national hero of the nineteenth century. Like him, modern Britain has waged wars, annexed territory, extended trade, and raised her head amongst the nations. Like him, her sons have been unable to find complete satisfaction in their achievements, unless they could persuade themselves that the general result was beneficial to others besides themselves. It is inevitable that now as then such an attitude should draw upon itself the charge of hypocrisy, inevitable too that in the eyes of foreign nations the benefits accruing to ourselves have been more conspicuous than those we have conferred on the world at large. It is easy to perceive how hard it is to realise the ideal we have set before us.

He is the national hero of the nineteenth century.

Cromwell's ignorance of continental feeling.

It was still harder in Cromwell's day, and the obstacles presented by his own character and mind were not the least of the stumbling-blocks in his path. To him—fresh as he was from the strife which had raised victorious Puritanism to mastery at home—it seemed the most natural thing in the

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world to regard the armed support of Protestantism on the Continent as equivalent to well-doing of the highest kind. His ignorance of the drift of continental feeling, and especially of the significance of those Treaties of Westphalia which had closed the period of religious wars, blinded his eyes to the limits within which useful interference was possible. His mind still worked on the lines of the Elizabethan period, when the championship of Protestantism was imposed on Englishmen by interest as well as by duty. He failed to perceive that there was no longer a European conspiracy against Protestants, and that where any danger to their liberties still remained, it came from the isolated action of national or state governments, to interfere with which would be openly to defy the public opinion of the Continent. It was not possible for Cromwell to forecast the future, but it is possible for those who in later ages study the lessons of his career to remember that it was by appealing to the desire for national independence rather than to sectional Protestantism, that William III.—the man who is justly regarded as Cromwell's successor in the fruitful guidance of the foreign policy of England—achieved those permanent results which Cromwell's activity failed to produce.

CHAPTER XXI.

AN IMPENDING WAR.

1651

So little did the authors of the Navigation Act contemplate a war with the United Provinces that for some months after their measure passed into law they were hesitating between two strongly opposed lines of foreign policy, the adoption of either of which would bind England hand and foot in the presence of the Dutch navy. On the Continent the most noteworthy phenomenon of the time was the temporary effacement of France. In the autumn of 1651 the civil broils of the Fronde had blazed up afresh. The liberation of Condé early in the year[1] had not turned out to the Queen's advantage. Harassed by the insults which the masterful Prince showered upon such of her ministers as were known to be under the influence of Mazarin, she resolved to follow the traditions of the monarchy by announcing her son's majority as soon as he entered his fourteenth year. It is true that for some years to come the boy's personal influence would be but nominal. Yet the King's name, especially in the France of the seventeenth century, in which all the currents of thought and feeling ran towards monarchy, was a strong charm wherewith to conjure.[2] If

The authors of the Navigation Act did not contemplate war.

Renewed troubles in France.

Aug. 27. Sept. 6. Majority of Louis XIV.

[1] See vol. i. 349.

[2] 'L'heure solennelle a sonné, et Condé ne l'a pas entendue. Plus de régente espagnole, plus de ministre étranger. Qu'importe la

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Condé's mistake.

Condé's character had been equal to his assumptions, he would have recognised the full meaning of the change, and might have secured for himself a high place in the court of the young sovereign. As it was, he was the last to perceive the significance of the formal act. His political intelligence was but slight, and except on the day of battle his strong words seldom covered strong deeds. His resolutions were moulded by dependents and flatterers. Resenting the Queen's nomination of ministers who refused to consult his wishes, he hurried off to his own Government of Guienne, that he might raise a standard of rebellion against the boy who, in his tender years, stood forth as the representative of national unity.

He raises a standard of rebellion.

Condé in Guienne.

The nobles of the south flocked round Condé as sixty years before they had flocked round Henry of Navarre. The municipal spirit too still moved in the southern towns, and Bordeaux in particular, irritated at the interruption of its wine trade with England, the result, it seemed, of Mazarin's refusal to recognise the Commonwealth, placed itself unreservedly on his side. Condé had now but one more fault to commit, the fault of calling in the foreigner to redress the balance of domestic faction. He did not hesitate for a moment. His first act was to despatch one agent, Lenet, to invite help from Spain, and another agent, La Rivière, to invite help from England. Lenet was welcomed at Madrid, and there, on October 27, a treaty was signed which admitted a Spanish garrison into Bourg, a fortress at the mouth of the Dordogne.[1] The task of La Rivière was less easy. He arrived in England early in October, and at once asked Crom-

Causes of his weakness.

He sends to Spain and England.

Oct. 27.
Nov. 6.
A treaty with Spain.

fiction légale ! la prétendue minorité de fait succédant à la minorité de droit, qu'importe ! c'est le Roi, le roi de France qui règne.' Le duc d'Aumale, *Hist. des Princes de Condé*, vi. 91.

[1] *Ib.* vi. 60–103; Chéruel, *Ministère de Mazarin*, i. 10–33.

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Oct. La Rivière's proposal to Cromwell.

well for 100,000*l.* and 10,000 men. Cromwell derisively replied that he would come in person with 40,000 foot and 12,000 horse, if he could be assured that at the end of the struggle France should be as England. A Protestant and Republican France was hardly within the limits of political forecast, and Condé's agent had to return to his master a disappointed man.[1]

Oct. 16. An offer from Rochelle.

La Rivière was succeeded by Conan, a native of Rochelle, who brought a proposal from Le Daugnon, the governor of Rochelle, who at this time held the place for Condé. He now offered to admit an English garrison into the towers which at that time formed the only defences of the place, the town-wall having been destroyed after Richelieu's siege. Cromwell listened to Conan, called for a map of France, and, after poring over it for some time, refused to support the scheme.[2]

Cromwell and France.

Cromwell's interest was nevertheless roused. So far as he had hitherto taken a line in foreign politics he had been hostile to the French Government, on account of its friendliness to the Presbyterian party and the exiled House of Stuart. He now despatched Vane to France to enter into communication with De Retz, the clerical demagogue of the Fronde.[3] The attempt to come to an understanding

An overture to De Retz.

[1] Morosini to the Doge, Oct. $\frac{18}{28}$, *Venetian Transcripts R.O.*

[2] Conan to Brun, $\frac{\text{Oct. 31}}{\text{Nov. 10}}$; Cardenas to Philip IV., Nov. $\frac{8}{18}$; Consulta, Feb. $\frac{8}{18}$. *Simancas MSS.* 2,084. Conan had been for some time absent from Rochelle, and had been sent with Le Daugnon's message by the Spanish ambassador at the Hague.

[3] *Mém. du Card. De Retz* (ed. 1859), ii. 267. The account of De Retz's interview with Vane is placed in these memoirs amongst the events of 1650, Charles's defeat at Worcester being also dated a year too soon. However, as Cromwell was in Ireland and Scotland during almost the whole of 1650, it seems safe to put Vane's mission down to the latter part of 1651, when Conan's message turned the attention of Cromwell to the thought of an intervention in France.

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with him appears to have failed for the time:[1] in any case Cromwell was unlikely to repose much confidence in a mere intriguer. If Cromwell was to take part in the French complications, protection to the French Protestants must be a prominent feature of his policy. It is true that Mazarin had shown himself well disposed towards them, and that Royal edicts had from time to time been issued in their favour; but the Government, even if its authority had been greater than it was, would have found it hard to bear up against the weight of the Catholic organisation resting upon a large majority of the population. Bishops and clergy were of one mind in their resolve to encroach on the privileges secured to Protestants by the Edict of Nantes, and Catholic lawyers and Catholic nobles seldom failed to discover legal excuses for injustice. Protestant temples, as they were styled, were frequently closed, Protestant ministers harassed, and Protestant children kidnapped to be educated in the dominant creed.[2]

Condition of the French Protestants.

What Cromwell and the Council of State wanted in their present mood was information as to the real condition of the south of France, and they therefore resolved to despatch thither a trustworthy agent, on whose reports they might ground their policy. Such an agent they found in Sexby, the Agitator of 1647, who had risen to the rank of lieutenant-colonel. Sexby, however, had been recently cashiered by the

Sexby's mission.

[1] De Retz was not as irreconcilable as he gives out. In 1653 he became one of the regular correspondents of Scot, who was at the head of what would now be called the Intelligence Department of the Commonwealth. 'Scot's Confession,' *Hist. Rev.*, Jan. 1897.

[2] Benoit, *Hist. de l'Edit de Nantes*, iii. 134–155. For a detailed account of the treatment of Protestants in one particular locality, see *Les Protestants à Pamiers*, by G. Doublet, an interesting pamphlet, a knowledge of which I owe to M. Gustave Monod.

sentence of a court-martial for having irregularly detained the pay of some of his men, though the court acknowledged that 'as to his own intentions he did it for the advancement of the public service.'[1] He was now sent to Bordeaux together with four other persons, one of whom, named Arundel, he kept in his own company. The remaining three were ordered to travel amongst the Protestants of the south. One of these was arrested and put to the torture, from the effects of which he died.[2] On the proceedings of the other two no information has reached us.

Sexby at Bordeaux.

When Sexby arrived at Bordeaux, Condé had left the town to take command of his army, having entrusted the place to his brother Conti, a man of no great abilities. Conti found it hard to control a population in which party spirit ran high, especially as the merchants and lawyers were opposed by the Ormée,[3] a faction advocating advanced democratic principles. Recognising language with which he had been long familiar, Sexby proposed to Conti to issue a manifesto[4] demanding for France a constitution, which he copied with such changes as were necessary from the first twenty-two articles of Lilburne's latest edition of the *Agreement of the People*. To this

He proposes the adoption of the Lilburnian *Agreement of the People*.

[1] *Letters from Roundhead Officers*, 27; Letter from Edinburgh, June 14, *Clarke MSS.* xix. fol. 26.

[2] Statement by Sexby, May 9, 1654, *S. P. Dom.* lxxi. 49. Compare Dyer's Information, *Thurloe*, vi. 829.

[3] From their place of meeting under 'les Ormes.'

[4] This marvellous document is printed in Cousin's *Madame de Longueville* (ed. 1859), ii. 464. Lenet, amongst whose papers it was found, notes that it was given to Conti 'par les sieurs Saxebri et Arrondel que je n'approuve pas.' Saxebri is, of course, Sexby. M. Chéruel (*Ministère de Mazarin*, i. 58) quotes it from another copy as *L'accord du Peuple*, but does not recognise its connection with the English *Agreement of the People*.

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he attached a declaration stuffed with the commonplaces of the Levellers, and leading up to demands which were probably for the most part suggested by his allies of the Ormée. With few exceptions, such as a perfunctory complaint of the treatment of 'our heroic princes,' these latter demands either seek to encourage Protestantism, or, redolent of the spirit of 1789, call for the protection of the poor against the insolence of the rich and powerful. A demand for the punishment of drunkenness and other vices in accordance with the laws of England bears the imprint of Sexby's brain; whilst a request for the opening of the ports to English trade must have been equally agreeable to an Englishman, and to the vine-growers of the Medoc. The force of ignorance and folly could go no further.

Demands of the Ormée.

It would be unfair to hold Cromwell responsible for his agent's absurdity. Yet it is impossible to acquit him of hankering after a policy which, by assailing the national unity of France, headed straight for disaster. In the course of his military career he had grown accustomed to regard war, not as Elizabeth was wont to regard it, as a hateful necessity, but as a righteous method of advancing the holiest of causes; and, if war there was to be for the benefit of Protestants, there were many reasons to induce him to advocate alliance with Spain rather than with France. It is undeniable that by advanced Puritans the policy of agreement with Spain was at that time held to be the Protestant policy; probably because Spain, though still remaining the home of the Inquisition, had no Protestants left to persecute, whilst Protestants were still numerous in France. No doubt to this simple consideration were added others drawn from

Cromwell hankers after a policy hostile to France.

A Spanish alliance favoured by extreme Puritans.

the political situation of the day. Spain had been the first Power to recognise the Commonwealth, and had no conceivable motive for interfering in the domestic affairs of England. On the other hand, the Stuart Pretender was a cousin of the young King of France, and had found refuge on French soil, whilst the rulers of France had persistently refused to recognise the Commonwealth unless the English Government, by recalling its letters of reprisal, would take the first step in suppressing the maritime disorders from which both nations were suffering.

Nor was it only the personal protection accorded by France to the Stuart princes which gave deadly offence in England. It was there that Charles was weaving his interminable schemes for the recovery of his throne. Since his flight from Worcester he had been holding secret conferences with a Roman Catholic ecclesiastic, and had given him to understand that he was willing to change his religion if only the Pope would make it worth his while. Innocent X., however, refused to accept a convert who demanded a price, and Charles then fell back on his earlier position, offering protection to English and Irish Catholics, if the Pope and the Catholic princes would give him the means of recovering his throne.[1] Meanwhile Charles's brother, the Duke of York, accepted a colonelcy in the French service and fought vigorously against the Fronde. Was it likely that a government which showed itself so friendly to the Stuarts would ever become a hearty ally of the Commonwealth?

Oct.–Dec. Charles seeks aid from the Pope.

The Duke of York a colonel in the French service.

[1] Cardinal Bagni to —— ? Nov. $\frac{7}{17}$; W. Grant (*i.e.* Father Leyburn) to Father Pripa, Nov. $\frac{19}{29}$; Cardinal Pamfili to Bagni, $\frac{\text{Dec. } 29}{\text{Jan. } 8}$; the Duchess of Aiguillon to Innocent X., March $\frac{8}{18}$; Pamfili to Bagni, Apr. $\frac{12}{22}$, *Roman Transcripts R.O.*

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Cromwell's vacillation on questions of foreign policy.

With Cromwell himself the disposition to see England ranged on the side of Spain was hardly more than tentative. To him as yet foreign alliances were somewhat like constitutional forms at home—no more than the means to rescue Protestantism from oppression, and if that end was to be achieved by a direct agreement with the French Government, he was quite ready to take the alternative into consideration. Scarcely indeed had Sexby been despatched to Bordeaux when an opportunity of securing a better understanding with France opened itself before him. On every point of the frontier at which France had pushed forward her territory in the days of her unity, Spain was regaining her lost possessions. In the campaign of 1651 the Spanish army in Flanders had made itself master of Furnes and Bergues in the immediate vicinity of Dunkirk, and in the course of September had proceeded to blockade Dunkirk itself. Estrades, the French Governor, reported that his provisions were running short, and that he would therefore be unable to hold out beyond January.

Spanish successes in Flanders.

Danger of Dunkirk.

Oct.–Nov. Cromwell's overture to Estrades.

Scanty as our information is,[1] we may take it that some time at the end of October or in the beginning of November a certain Colonel Fitzjames, who had formerly served in the Royal army, was going to Dunkirk to arrange for the exchange of prisoners captured by privateers on either side, when Cromwell seized the opportunity to commission him, without the knowledge of the Council of State, to make some overture of a larger import. There can be little doubt that Fitzjames was charged with a proposal

[1] An account of the negotiation which followed, supported by documents, will be found in an article of mine published in the *Historical Review* for July 1896, and it is therefore unnecessary to repeat the references to be found there.

for a cession of Dunkirk to England. Subsequently, after his return to England, Fitzjames received two letters from Estrades which he was not allowed to answer, containing, if we accept a story afterwards told by Whitelocke, an offer made by Estrades to bargain in his own name for the surrender of the place to an English garrison—an offer which Cromwell refused to accept because he was unwilling to owe anything to treason. On the whole it is reasonable to suppose that Estrades communicated Cromwell's proposal to his government, and was instructed to play a traitor's part in appearance, in order not to compromise his superiors. In any case Cromwell's refusal to answer becomes intelligible, not merely on moral or sentimental grounds, but on the substantial argument that if England accepted Dunkirk from Estrades' treason she would be exposed to the enmity of both the contending monarchies, whereas if she accepted it from the French Government she would gain an ally at the same time that she made an enemy.

Alleged advantages of holding Dunkirk.

In our own day a proposal to occupy a fortified post on the opposite side of the Channel and therefore assailable by continental armies, would be reprobated by all Englishmen without distinction of party as wilfully throwing away the advantage of the moat placed by nature round the island-state. No such thought of danger appears to have crossed Cromwell's mind. To him the long tenure of Calais was mere glory, and he could hope to make of Dunkirk not only a place of arms from which he might throw an English army on the Continent at pleasure, but a great commercial centre from which waterways stretched eastward, thus enabling trade to be carried on

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with central Europe without any obligation to the Dutch.[1]

Object of the French alliance.

Attractive as the hope of possessing Dunkirk might seem, we may be sure that, at this time as well as later in his life, Cromwell did not confine himself to considerations arising out of the utility of the port itself. An alliance with France would imply on the one hand the carrying out schemes of conquest in Spanish America inherited from the sea-rovers of Elizabeth's day, and on the other hand the obtaining of an engagement, tacit or explicit, from the French Government that the persecutions to which the Huguenots were subjected should definitively come to an end. Cromwell's double object of doing something for religion, as well as of securing an extension of empire for England and with it an increase of trade, would surely be attained in this way far better than by an understanding with Spain and Condé.

Dunkirk offered to the Dutch

Such an alliance was as yet far distant. Finding that no reply came to Estrades' proposals, the French Government offered Dunkirk to the Dutch.[2] This negotiation however came to nothing, owing to the protestations of the Spanish ambassador at the Hague, whom the Dutch were unwilling to offend. It is likely enough that the failure of this overture led to an order given to Gentillot in the King's name, almost certainly without Mazarin's knowledge,[3] to betake himself to London.

Gentillot was a Protestant, who had been sent to

[1] See *Hist. Rev.* (July 1896), p. 484.

[2] In a letter to Estrades of Nov. $\frac{16}{26}$, Mazarin approved of what was being done, as far as the Dutch were concerned (*Lettres de Mazarin*, iv. 518).

[3] In a letter to Estrades of Dec. $\frac{16}{26}$ Mazarin wrote strongly against the surrender to the English (*ib.* iv. 576).

England in the preceding February to open a negotiation, and had been expelled because he was not authorised to recognise the Commonwealth.[1] Finding on his arrival that no credentials had been sent to him, he left the country hurriedly, no doubt because he feared punishment for reappearing without authority after his expulsion earlier in the year. The failure to send credentials may be attributed to the vacillation of his government on the subject of Dunkirk. Yet the chance of gaining English aid against Spain was too alluring to be lightly dismissed.

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1651 Dec. $\frac{13}{23}$. His mission to England.

The actual opening of negotiation came from England. Early in January a third letter, written about a month before by Estrades to Fitzjames, fell into the hands of some members of the Council of State, and Cromwell was thus compelled to share his plans with his colleagues. In the end it was resolved to entrust the management of the affair to Whitelocke and Bond, who would naturally pay considerable attention to the opinion of Cromwell. On January 5 Fitzjames was ordered to return to Dunkirk. According to an account subsequently given by Estrades himself, Fitzjames began by offering him a personal bribe, but was so cowed by the indignation he aroused that he turned his treacherous proposal into an assertion that the English Government wished to come to terms, not with Estrades personally, but with the ruling powers of France, and was prepared to offer that, if Dunkirk were surrendered, the Council of State would not only pay over a considerable sum of money, but would make a strict alliance against Spain, and contribute a contingent of 10,000 infantry and 100 ships. Estrades, however, had so much to

1652 Jan. The Council of State hears of Estrades' correspondence.

Jan. 5. Fitzjames sent to Dunkirk.

[1] See vol. i. 348.

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conceal, that it is impossible to put confidence in the truth of his narrative, and it is by no means unlikely that the proposal of a public negotiation with the French Government formed the sole object of Fitzjames's mission.

Visit of Estrades to England.

However this may be, the first result of the communication was that Estrades was despatched unavowedly to England either by Mazarin or by the ministers who ostensibly acted in the name of the young King. That Mazarin looked on any plan for throwing Dunkirk into English hands with the deepest aversion is beyond doubt, and he had already written as much to Estrades himself; but he was one of those who know how to yield to necessity, and if he were convinced in January that Dunkirk could not hold out many days longer before the attacks of famine, he may very well have preferred to see it in English rather than in Spanish hands. Whatever may have been the nature of the message carried by Estrades, it was such as to raise the hopes entertained in England, and before the end of January the arsenals were busy with the fitting out of a squadron of twenty-five ships to be placed under the command of Blake, the object of which was shrewdly suspected to be Dunkirk.

Mission of Barrière and Cugnac.

In the meanwhile efforts were being made to draw Cromwell and with him the Council of State to the other side. Early in January Barrière arrived as a Minister of Condé, and he was soon joined by Cugnac as a representative of Le Daugnon and the Huguenots; whilst, in the course of the month, Cardenas suggested that if an English force would assist in the reduction of Dunkirk and Gravelines, Spain would help the English to reduce Calais, a proposal of which no notice seems to have been taken.

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Feb. 14. A conversation with Cromwell.

Nor was Cromwell any better satisfied with Barrière's offers. "They come," said Cromwell[1] on February 14 to Choqueux, an unavowed agent of the French Government, "to treat with us on the Prince's behalf. What! does he mean to destroy the monarchy, or what is it that he has on his mind? He must promise liberty to the Huguenots, and give us a considerable seaport as security and other things besides, before he has a single man from us. But we see that M. de Cugnac has come with more meat in his mouth than Barrière." To speak thus to a Frenchman in constant communication with his government was obviously a hint that it would be well to outbid Condé.

Jan. 17. Return of Mazarin.

Of that government Mazarin was now once more undisguisedly the master. Returning to the Court at Poitiers on January 17, he had at once taken up the task of defending the monarchy against all opponents. Having to make war with Condé's partisans not merely in the Garonne but also on the banks of the Loire, whilst he had at the same time to parry the assaults of the Spanish armies, Mazarin could hardly expect to be able to maintain Dunkirk against a formal siege. For the present, indeed, the place was safe. Provisions had been brought in, and there was no longer a danger of its being starved out in January as had once been feared. Some time too must elapse before the season would allow the Spaniards to open the trenches either before Dunkirk or before the neighbouring fortress of Gravelines. Under such circumstances it was in accordance with Mazarin's character that he should await events, and postpone as long as possible the decision which Cromwell and

[1] Choqueux does not give Cromwell's name, but no one else can have spoken in this fashion.

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the English Council of State were pressing upon him.

Jan. An offer to Gentillot.

On Gentillot's return to France he remained for some time at Calais, where he was accosted by Robert Villiers, the adulterine son of Lady Purbeck and Sir Robert Howard, who was on his way to Italy on a secret mission from the Council. Villiers, who was in the confidence of that party in the Council which distrusted Cromwell, pressed on Gentillot the advantage to France of purchasing an English alliance by the cession of Dunkirk, and of making an agreement to divide the Low Countries between the two States.

Feb. 23. March 4. Instructions to Gentillot.

With these proposals before him, as well as those which had been communicated through Estrades, Mazarin resolved to send Gentillot back to England to treat for an alliance against Spain. Yet, naturally enough, he could not prevail upon himself absolutely to surrender Dunkirk. Some half-measure, he flattered himself, would suffice to gain the military support of England. He accordingly instructed Gentillot to propose, not indeed the cession of Dunkirk, but an arrangement by which the English would be allowed to use the place as a port of shelter for their ships of war, and for the debarkation of troops, whilst they would also be permitted to land their merchandise on its quays without restrictions. The possession of the place was however to remain with the King of France. As security for the carrying out of the treaty the Swiss soldiers who were to compose the entire garrison were to take an oath to the two governments binding themselves to observe these conditions. A few days' reflection, however, convinced Mazarin that such a proposal would never be accepted in England, and before the end of February [1]

[1] The message reached Estrades on March $\frac{1}{11}$.

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he sent off a courier to Estrades telling him that the King had resolved to keep Dunkirk, and that the negotiation for its surrender must come to an end.

March $\frac{7}{17}$. Estrades receives information that Dunkirk is to be kept.

Yet it was difficult for Mazarin to preserve this uncompromising attitude. There were combats on the Loire which turned out, indeed, to the advantage of the Royalists, but they gained no crushing victory which would have set the government free to face the Spaniards. Bad news, too, arrived from Dunkirk. The greater part of the garrison was in a mutinous condition, the soldiers refusing to mount guard unless they received their pay. It was thus, to say the least of it, doubtful whether it would be possible to keep the place much longer.

Doubts whether it will be possible to maintain it.

Fitzjames again made his appearance, and on March 14 Louis himself signed a letter authorising Estrades to treat on the proposed alliance. Though the letter contains no mention of Dunkirk, there can be little doubt that it was accompanied with instructions to negotiate the cession of the town, perhaps only in case of absolute necessity. On March 22 the Spaniards drew closer to Dunkirk, and six days later opened the siege of Gravelines. Estrades did his best to obtain English aid without compromising his government, and actually assured Fitzjames that, if the soldiers of the Commonwealth were once inside Dunkirk, they would be strong enough to make themselves masters of the place. Obviously neither Cromwell nor his colleagues were likely to consent to such terms as these. They must take Dunkirk at the hands of the King of France or they would not take it at all.

Renewed negotiation of Fitzjames.

March $\frac{14}{24}$. Estrades authorised to treat.

March 22. April 1. The Spaniards before Dunkirk.

March 28. April 7. Gravelines besieged.

Progress of the negotiations.

The exact nature of the negotiation which followed cannot now be traced, but there is strong reason to believe that Cromwell was at last satisfied, and was

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prepared, together with his two colleagues, to bring the matter to an issue before the Council of State. At all events, early in April Cromwell despatched to Dover 4,000 foot and 1,000 horse on the pretext that they were to serve on board the fleet, but in reality that they might be ready to occupy Dunkirk at a moment's notice.[1] Such was the state of affairs when the committee which had hitherto had charge of the negotiation laid its report before the Council of State. In the Council the opposition to a French alliance was strong, and the growing complications with the Dutch made it undesirable to provoke fresh enemies. The scheme on which Cromwell had set his heart met therefore with a cool reception.[2]

Troops despatched to Dover.

The project not taken up by the Council of State.

Whilst the Government in England hesitated

[1] Since writing the article in the *Hist. Rev.* (p. 505) I have seen a letter from Cardenas, of April $\frac{13}{23}$, *Simancas MSS.* 2,569. The writer is explicit on the point that Dunkirk was to be surrendered. Fitzjames, he writes, 'bolvió aqui con un Frances de la confianza del Gov^or^, y con una plenipotencia que el tenia del Rey Christianisimo para poder entregar a los Ingleses las plazas de Dunquerque, Mardike y Gravelingas, con condicion que le pagaren una soma muy considerable de dinero, y viniese el Parlamento á hazer liga ofensiva y defensiva con la Francia, Suecia y Portugal, en el qual caso se havia de compreender tambien la entrega de Gravelingas; y trujo diversas cartas de aquel Rey, que encargava al Governador apresurarse la negociacion, sobre que el Strades, no juzgandola breve, pidia que entretanto que se ajustase, lo asistiese el Parlamento con gente, viveres y municiones para asegurar a Dunquerque del sitio que por horas estava esperando de las armas de V. M. Con que los de la junta poseidos de la desaficion de España, y de la conveniencia que se le representava de hazerse dueños de aquellas plazas y sin reparar en la amistad y obligaciones que esta Republica deve a V. M., hizieron bajar acia Dobert quatro mil infantes y mil cavallos con pretesto de que ivan para guarnecer quaranta navios que estaban listos para salir al mar; pero con fin (segun me han asegurado) de que si el Parlamento resolviere admitir esta platica, se hallasen las prevenciones avanzadas, y la gente pronta y vecina al embarcadero.' Cromwell's name is not mentioned, but no one else could have given the orders to the regiments, and he is thus seen to be personally committed to the scheme.

[2] *Ib.*

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Mazarin on his part drew back from the sacrifice of Dunkirk. Learning that the mutinous spirit of the garrison had been repressed, and that a relieving force of shipping was being prepared to carry provisions to the beleaguered fortress—he probably hoped that it would, after all, be unnecessary to call in one foreign army to keep out another. Estrades was instructed on April 13 to send some one to England to open a negotiation and to cultivate good relations with Cromwell. Yet so far from wishing this person to treat about the cession of Dunkirk, Mazarin contented himself with directing him to ascertain whether, if a French squadron attempted to relieve Gravelines, it would be exposed to an attack by the English fleet. Estrades, however, did nothing, being probably too fully occupied with his military duties, and on April 21 Mazarin took the matter into his own hands, sending instructions to Gentillot to repair to London as the bearer of a letter to Cromwell from the King of France. In order to gain the favour of all parties Gentillot was to secure the assistance of Robert Villiers, who, as has been seen, was employed by those members of the Council of State who were hostile to Cromwell.[1] He was also to make an offer of Dunkirk, if the English would agree to a firm alliance against Spain, pay a considerable sum of money for the place, employ their navy in the defence of the French ports, and give a pledge of the earnestness of their intentions by proceeding immediately to relieve Gravelines.

Mazarin draws back.

April $\frac{13}{23}$. His instructions to Estrades.

April 21. May 1. Gentillot sent to England.

He is to offer Dunkirk.

Yet, even at this point, Mazarin, though growing seriously alarmed, had not fully made up his mind to pay the price required by the English Government for its alliance. Gentillot was

[1] See p. 102.

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Gentillot kept in Paris.

detained in Paris more than three weeks, though the fate of Gravelines, which actually fell on May 8, appeared to cry out for immediate action. The delay was possibly due to hopes in Mazarin's mind that the catastrophe might be averted without having recourse to a remedy which he justly regarded as scarcely preferable to the disease. It is possible also that he contemplated buying English aid by appealing to the religious sympathies of the Puritan Government at the expense of its material cravings. On May 11 the young King issued a declaration at St. Germains, in which he confirmed the Edict of Nantes, and recognised the fidelity of his Huguenot subjects. No doubt the promise of continued protection was fully deserved by the refusal of the bulk of the Protestant clergy and laity to connect themselves with Condé; yet the date chosen for the promulgation of the Royal assurances was none the less well timed for the purpose of the negotiation with England. Three days later, on May 14, Gentillot was at last allowed to start on his mission, but only on the understanding that he should keep silence on the contemplated admission of an English garrison into Dunkirk. Mazarin hoped to secure the friendship of England at a cheaper rate, and gain the goodwill of Parliament merely by recognising the Commonwealth, though, for the honour of France, he demanded a preliminary engagement from the English Government to recall the letters of reprisal against French shipping.

May $\frac{11}{21}$. The declaration at St. Germains.

May $\frac{14}{24}$. Gentillot sent without orders to treat about Dunkirk.

He tries to get the alliance of England without surrendering Dunkirk.

Evidently Mazarin—and it is hard to blame him—shrank from the extreme measure of giving up Dunkirk until he felt absolutely hopeless of saving the place by his own efforts. Yet it was a grave mistake to imagine that the stern men who now con-

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trolled the destinies of England, after seeing so magnificent a prize dangled before them, would content themselves with lower terms. Gentillot, indeed, was allowed to appear in England for the third time, and even to remain till July, when he was once more sent away merely on the ground that he was unable to recognise the Commonwealth unconditionally.

1652 May-July. Gentillot in England.

At the time when Gentillot reached England it was already too late for Mazarin to hope for armed assistance on any terms. The party which had the upper hand in Council and Parliament was not only friendly to Spain, but it was on the brink of a war with the Dutch Republic, which would place a combination with France out of the question for a long time to come. Cromwell found himself hopelessly overruled.

Gentillot sent too late.

Before the end of the preceding year the States General, alarmed at the Navigation Act, resolved to despatch an embassy to procure, if possible, its repeal, and, at all events, to clear away the clouds which overhung the relations between the two Republics. The three ambassadors, Cats, Schaef, and Van de Perre, landed at Gravesend on December 15. At their first audience they were informed that the Navigation Act was irrevocable, but that the Council of State was ready to take up the negotiation at the point at which it stood when St. John and Strickland left the Hague.[1]

1651. Dec. 15. Arrival of Dutch ambassadors.

As might have been expected, the ambassadors took more immediate interest in the pressing complaints of their seafaring countrymen than in a Utopian scheme of union which was never likely to take practical shape. These grievances were neither few nor slight. They had to complain that Dutch

1652. Jan. 1. Dutch grievances.

[1] Salvetti's Newsletter, $\frac{\text{Dec. } 26}{\text{Jan. } 5}$, *Add. MSS.* 27,962 N. fol. 291.

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Letters of reprisal against the Dutch.

ships had been seized under letters of reprisal issued to English merchants who had, at one time or another, been wronged by Dutchmen at sea. These cases were, however, comparatively few, and with good will on both sides might easily have been provided for by a pecuniary settlement in favour of one side or the other. A far more dangerous bone of contention lay in the recent pretension of English privateers holding letters of reprisal against the French, to bring into port for trial Dutch vessels suspected of having French goods on board, a pretension which was being put in force with growing severity.[1] It seemed as if the English Government, having ruined the Dutch trade with England by Act of Parliament, had made up its mind to ruin the Dutch trade with France by the action of its Court of Admiralty. It is true that this Court conformed to the doctrine of the old laws of the sea, and whilst taking possession of French goods, liberated the Dutch ship which carried them, and even made allowance to her owners for the expenses caused by the delay;[2] but no amount of money likely to be paid on this score could compensate for the stoppage of trade sure to ensue when once it became known in France that goods were no longer safe on board the vessels long known as the carriers of the sea. Nor was legal injury all that Dutchmen had to fear. No better evidence can be shown of the temper of English sailors than the fact that the Court of Ad-

Holders of letters of reprisal against the French seize Dutch ships.

[1] By the middle of November only two Dutch ships had been brought in as having French goods on board. Six weeks later the number had largely increased. Memorandum for the ambassadors, Nov. $\frac{19}{29}$; complaint of the ambassadors, Jan. $\frac{1}{11}$, *Add. MSS.* 17,677 U. foll. 79, 91.

[2] This can be traced in the *Admiralty Prize Acts* in the Record Office.

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Feb. 16. Dutch sailors not to be tortured.

Dispute on the rights of neutrals.

miralty had found it necessary to threaten them with punishment if they persisted in torturing Dutch sailors to compel them to acknowledge goods as French which, in reality, were nothing of the sort.[1]

Not the Navigation Act, but the enforcement of the old law of the sea from a belligerent's point of view, and that too by a nation whose claim to appear as a belligerent was at least questionable, made war between the two Commonwealths almost inevitable. To the Dutch belongs the credit of leading the way in a course which has at last been adopted by the consent of European nations,[2] when, in 1650, they embodied in a clause of their treaty with Spain the new principle that the neutral flag protected the enemy's goods, except in case of contraband of war.[3] It is true that the very insertion of this article in the Spanish Treaty, not to speak of the opinion of even Dutch authorities on international law, may be taken as evidence that the English Court did but reduce into practice the accepted doctrine; but this practice was none the less destructive to Dutch trade, and, unless the commerce of the Republic was to be ruined, the statesmen at the Hague could not allow the English claim to pass unchallenged, if only on the ground that England and France were not openly at war. Being well aware of the state of inefficiency into which their navy had been allowed to fall, they

[1] Declaration of the Court of Admiralty, Feb. 16, *Admiralty Prize Acts R.O.* The story of the Dutch prizes can be gathered from the despatches of the Dutch ambassadors in *Add. MSS.* 17,677 U., and from the proceedings recorded in the *Acts* quoted above. Compare *Hollandsche Mercurius*, 1652, p. 2.

[2] By the Declaration of Paris in 1856, and the subsequent adhesions to it.

[3] Treaty, Dec. $\frac{7}{17}$, 1650, Dumont, *Corps Diplomatique*, VI. i. 570. On the whole subject see Phillimore's *Commentaries upon International Law* (ed. 1885), 300-369.

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March 5. Information that the Dutch navy is to be increased.

resolved to strengthen their line of maritime defence, and on March 5 the Dutch ambassadors had to inform the English Council of State, that their masters had resolved to fit out 150 ships in addition to the seventy-six which were at that time ready for sea.[1] The Council, far from withdrawing those claims which had made these defensive measures necessary, replied by a string of demands for compensation on account of wrongs done almost since the beginning of the century. The high-handed proceedings of the Dutch East India Company at Pularoon and Puloway and above all at Amboyna, together with the more recent failure of the authorities at the Hague to inflict punishment either for the murder of Dorislaus, or for the outrages on St. John and Strickland, found a marked place in the catalogue of offences.[2] It is unnecessary to discuss these demands in detail. The significant thing was, that they were put forward abruptly at a time when friendly negotiation was still in progress. Early in April the Dutch ambassadors were informed of the conditions under which England was ready to accept the projected alliance. The Navigation Act must be carried out, the North Sea fisheries opened to the Dutch only under such restrictions as the English chose to impose, and a heavy indemnity paid for the misdoings of Dutchmen in the East Indies and elsewhere.[3]

March 15. English demands.

April. Conditions laid down for the negotiation.

May $\frac{3}{13}$. The thirty-six propositions discussed.

In the course of the next few weeks more moderate counsels prevailed. It was agreed to negotiate on the basis of the thirty-six propositions which had been presented by the Dutch to St. John and Strick-

[1] *Memorandum*, March $\frac{5}{15}$, *Add. MSS.* 17,617 U. fol. 124.

[2] Geddes, *Hist. of the Administration of John de Witt*, i. 119.

[3] Salvetti's Newsletter, April $\frac{9}{19}$, *Add. MSS.* 27,962 N. fol. 341b.

land a few days before they left the Hague.[1] The discussion was opened on May 3, and was carried on amicably during the next fortnight. If the propositions had been accepted, freedom of commercial intercourse would have been established, as far as Europe and America were concerned,[2] and even the Navigation Act would have been set aside.[3] On the other hand, the English Commissioners refused positively to abandon their claim of sovereignty over the British seas with its consequences, the payment of tribute for permission to fish in them, and the dipping of flag and sail by the ships of any other nation. Nor were they to be brought to accept the Dutch doctrine that the flag covered the goods.[4]

Rise of a peace party.

That the negotiation had proceeded thus far, whilst the demand for a political union which had played so large a part in the programme of St. John and Strickland had been allowed to fall into the background, was, owing to the formation of a peace-party in Parliament, for the most part identical with that which had supported Cromwell in aiming at an alliance with France against Spain, a war with the Dutch Republic being incompatible with a good understanding with France.[5] So far as it is possible to judge, this party was composed of a combination between the personal supporters of Cromwell and the Presbyterian members

[1] Proposed on June $\frac{14}{24}$, 1651. See vol. i. 364.

[2] Nothing is said about the East Indies.

[3] *Aitzema*, iii. 695.

[4] *Ib.* iii. 698-710.

[5] That the men who brought about the war with the United Provinces were friendly to the Spanish alliance is distinctly stated in a letter written by Ellis Leighton in March 1654, of which I shall have more to say hereafter.

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who either had voted against the acceptance of the King's offers at Newport, or had slipped back into the House by recording their subsequent dissent from that vote.[1]

May 7. The House discusses the supply of members.

The existence of strong party feeling is indicated by the resolution of Parliament to consider on May 7 how it might 'be supplied with members.' As two years and a half had still to elapse before the date fixed in the preceding November for the dissolution, it is certain that unless hostile parties had thought to strengthen themselves by throwing over the compromise then agreed to, they would have held firmly to a settlement so agreeable to their personal interests. Nor did they even now propose that the sitting members were to vacate their seats. What they asked was that seats already vacant might be filled. At once a difference of opinion arose as to the mode in which this was to be done. Some members, it appeared, cherished the design of recalling those who had been ejected by Pride's Purge or had absented themselves from Parliament in consequence of that event, on the condition that they should record their approbation of all parliamentary action taken in their absence. Others asked that partial elections should be held immediately, by which, as a disinterested spectator remarked, it was probable that many soldiers would obtain seats. At all events, it was the army which was most in favour of keeping peace with the Dutch, and it may safely be conjectured that it was Cromwell and his supporters who advocated at least a partial

Various schemes.

[1] See vol. i. 3. Cardenas, in his despatch of Oct. $\frac{5}{15}$ (*Simancas MSS.* 2,528), characterises those who were then attempting to make peace with the Dutch as Presbyterians. See also p. 120, note 2, where the advocates of war are spoken of as the Spanish party.

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appeal to the country.[1] Neither party, however, was strong enough to gain the upper hand, and the House contented itself with directing that 'the Grand Committee upon the Act for setting a certain time for the sitting of this Parliament, and providing for successive Parliaments be revived.'[2]

Grand committee to be revived.

[1] "Sono questi Signori Republicanti di presente in consulta, se devono riempere il Parlamento del gran numero che gli mancano, di quelli che parte furono cacciati di esso dalla soldatesca, et parte si ritirorno volontariamente per non volere acconsentire al cambiamento del governo monarchico a quello di una republica, oppure se devono continuare con quel numero che hanno continuato doppo di detto cambiamento. Sopra di che incontrando indi molte difficoltà, molto poca speranza si ha che ne siano per venire all' effetto; et la principale siando quella se vi devono richiamare i vecchi che ne furno cacciati, et che se ne absentorno, o farne in lor luogo eleggere di nuovi dalle provincie. I discorsi che sopra di ciò se ne fanno sono varii, alcuni tendendo che siano per richiamarvi i vecchi, mentre questi vorranno accettare di ritornarvi sotto le conditioni che le presenteranno: cioè di approvare quanto sino ad hora è stato fatto a conto del cambiamento del governo passato in questo presente, benche altri credino che basterà d' haverne parlato, et che si contenteranno di continuare a governare nella maniera che hanno fatto della morte del Rè in quà; et se pure faranno innovatione, sarà solamente di aggiugnere al loro numero, in luogo di quelli che ne furno cacciati et che se ne absentorno, altri da essere eletti dalle provincie; nella quale eletione è da credere che la soldatesca ci haverà buona parte." Salvetti's Newsletter, May $\frac{13}{23}$, *Add. MSS.* 27,962 N. fol. 357b.

"Quello che più di essentiale si maneggia qui è il riempimento del Parlamento, parendo che si desideri incorporarvi quelli soggetti che partiali del Rè deffunto vi furono esclusi a viva forza. Le conditioni però che loro si propongono sono si dure che alcuni quando potessero con esse entrarvi, non lo farebbono, mentre vogliono questi Signori una previa aprobatione dell' operatosi dal Parlamento in tutte l' occorenze passate, senza escludervi anzi voler da loro aprobata l'essecutione fattasi contro la Maestà del Rè, a che non tutti deveniranno così prontamente come si desidera." Pauluzzi to Morosini, May $\frac{20}{30}$, *Venetian Transcripts R.O.* Pauluzzi was the secretary of Morosini, the Venetian ambassador at Paris, sent to negotiate about the shipping difficulties of Venice. One welcomes the reappearance of a Venetian commentator on English affairs after so long an interval.

[2] *C.J.* vii. 130. There can be no doubt that parties were divided on the ecclesiastical questions which were now being discussed in the Propagation Committee, as well as upon the Dutch war; but the division did not run quite in the same line.

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War almost unavoidable.

It is possible—no more can be said—that fresh supplementary elections under the influence of Cromwell and the army might have averted war. As matters stood a conflict was almost unavoidable. By the middle of May it was known in England that Mazarin was no longer willing to surrender Dunkirk, and with that knowledge one great restraining influence ceased to exist. The questions of the flag covering the goods, and of the right of England to exact a tribute from the Dutch herring fishers might still be discussed at considerable length, but the assertion in practice of the doctrine of the Plantagenets that the English sovereignty of the seas must receive due acknowledgment from the shipping of other nations was certain, in the present temper of the sailors on both sides, to lead to resistance, and the first shot fired in anger would indubitably give the signal for war.

CHAPTER XXII.

THE FIRST MONTHS OF THE DUTCH WAR.

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THOUGH any moment might bring forth an outbreak of hostilities, the Dutch navy was little prepared for war. Its organisation was deplorable. The suppression of the Stadtholderate had broken up the administrative unity of the navy, and the five boards of admiralty, formerly united by their dependence on the Stadtholder in his capacity of Admiral, were now isolated from one another. The order for adding 150 ships to the fleet had been very imperfectly carried out. Nevertheless, on April 6, a sufficient number were ready to encourage the States General to instruct Tromp to put to sea. In nothing was the weakness of the Dutch Government so clearly displayed as in its hesitation to give their Admiral[1] definite orders on the all-important point of the striking of the flag. Tromp, being asked what had been his former custom, replied that he had only struck his flag when he met an English fleet stronger than his own.[2] The old hero's reply was probably

Disorganisation of the Dutch navy.

April $\frac{6}{16}$. Tromp's instructions.

No definite orders about striking the flag.

[1] He was officially known as lieutenant-admiral, *i.e.* lieutenant of a non-existent stadtholder.

[2] 'Als de Engelsche de sterckste zijn, dan strijcken wy de Vlagh, anders niet.' *Aitzema*, iii. 730. On one occasion Tromp is said to have reproved one of his captains for striking to the English in these terms: 'Were you not as strong as they, and being so, why were you afraid?' *The Answer of the Parliament* ($\frac{517.\ k\ 15}{86}$), p. 12.

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too closely in accordance with the sentiments of his masters to admit of further question. At all events no attempt was made to bind his hands.

May 14. Tromp off Dunkirk.

On May 14 Tromp, with forty-two ships, was lying off the Flemish coast, between Nieuport and Dunkirk. A strong north-east wind sprang up, and, anxious for the safety of his ships, he resolved to seek shelter under the lee of the Kentish cliffs. On

May 18. Tromp in English waters.

the 18th he rounded the southern edge of the Goodwins, and, perceiving eight ships in the Downs, sent a message to their commander, Rear-Admiral Bourne,[1] to explain his presence in English waters. Then continuing his course, and thus avoiding all question of the flag, he anchored for the night in Dover Roads. There he remained till the following afternoon, firing off muskets, as the English, who watched him from the shore, imagined, for the mere

May 19. He makes for Calais.

purpose of display.[2] Later in the day he made sail for Calais. Before he reached the French coast, a small Dutch despatch vessel brought him weighty tidings.

May 12. Three Dutch ships forced to strike their flags.

On May 12 Captain Young, being off the Start with his own ship and two frigates, fell in with seven Dutch merchantmen under convoy of three men-of-war. The Admiral, indeed, struck his flag, but the second in command refused to strike. A fight ensued, with the result that the flag was hauled down, and the third captain thought proper to follow the example. Young wanted to carry the ship he had overpowered into an English harbour, but the Admiral, who had remained a passive spectator of the combat, intimated

[1] Formerly major, and frequently termed Major Bourne, even now that he held a command at sea.

[2] Very likely he merely wanted to take every opportunity of practising his crews, who must have been hurriedly brought together.

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that though he had refused to support his subordinate in the matter of the flag, he could not allow a Dutch man-of-war under his orders to be carried off as a prize, and Young considered it prudent to push his claims no further.[1]

If this news had been all that the master of the despatch-boat had brought, it would have been enough to tell on Tromp's nerves, already sufficiently irritable on the subject of the flag. He had, however, further intelligence to communicate. Seven richly laden homeward-bound Dutch merchantmen were off Fairlight, where they were confronted by fourteen or fifteen English men-of-war under the command of Blake himself.[2] On the reception of this news Tromp once more changed his course. It was his plain duty to protect his countrymen from the capture to which they were exposed on the pretext of having French goods on board, and he now made straight for Fairlight. Blake, seeing him coming, put out to meet him, barring his way off Folkestone. It is exceedingly likely that Tromp intended to do no more than to remonstrate with Blake—whose orders Young had pleaded for his conduct demanding the lowering of the flags—and to require assurances that the Dutch merchantmen off Fairlight would be allowed to continue their voyage unharmed. How far he had resolved in his mind whether or not to strike his flag as he swept up to the English fleet lying ahead of him it is impossible to say. They were but fifteen, and his own ships counted forty-two. It would be a special indignity after his

Dutch merchantmen off Fairlight.

[1] Captain Young's despatch is in Penn's *Mem. of Sir W. Penn.* In *French Occurrences*, E, 665, 6, there is a dramatic account of the action.

[2] *Aitzema*, iii. 711. Virly, or Verly, is Fairlight, that place being marked as Fierly in F. de Wit's *Pascaert van't Canaal.*

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Tromp keeps his flag flying.

words at the Hague [1] to strike to so small a number; and though he may not have definitely resolved to keep his flag flying, his heart must have been hot within him in the presence of those whom he regarded as the tyrants of the sea. At all events, as he bore down upon the English fleet, the word to strike was not given, and when Blake fired first two shotted guns across the bows of Tromp's ship, Tromp, it seems, was about to launch a boat to explain his position; but before he could do so, a third shot from Blake burst through his mainsail and killed a man upon the deck. On this Tromp, angered past endurance, ran up the blood-red signal for battle,

The fight begun.

and fired a broadside into Blake's ship.[2] The engagement which followed was kept up till nightfall, when Tromp, assailed in the rear by Bourne's squadron from the Downs, retired toward the French coast with the loss of two ships.

A commission sent to examine into the circumstances.

The news was received with a thrill of indignation at Westminster, and commissioners, of whom Cromwell was one, were sent to inquire on the spot

[1] See p. 115.

[2] This is no more than a conjectural reconciliation of the conflict of testimony. Each side declared that the other fired the first broadside, and the Dutch statements do not entirely agree with one another. It would be according to custom for Blake to fire two shotted guns across the bows, and a third one into the ship if these had produced no response. This third shot which appears to have killed a sailor might be magnified into a broadside by the Dutch. I think it is clear that Tromp had not positively made up his mind not to strike. Thomas White speaks of each Dutch ship as 'having a man at the top-mast head, as if they intended to have struck their sails,' *An Exact . . . Relation of the Terrible and Bloody Fight*, E, 665, 11. On the Dutch side we have Tromp's letter to the States General on May $\frac{20}{30}$ in *Hollandsch Mercurius*, 1652, p. 35, *Aitzema*, iii. 711, and other documents in De Jonge's *Geschiedenis van het Nederlandsche Zeewezen* (ed. 1858), i. 413, 756. See also Gibson's account, which hangs well together, *Add. MSS.* 11,684, fol. 5b. The whole question is discussed in Geddes' *John de Witt*, i. 204–216.

into the circumstances under which hostilities began. After examining witnesses, they came to the conclusion that Tromp had deliberately provoked a conflict. Having no sense of the indignation roused in Dutch bosoms by the seizure of ships and goods and by the insult to the flag, they could hardly come to any other conclusion.

They pronounce Tromp the aggressor.

The report of the commissioners was at least in accordance with the common belief in England. In vain Pauw, the aged pensionary of Holland, was sent to join the three ambassadors already at Westminster. He was told that nothing could be done till his masters agreed to pay compensation for all injuries inflicted by their subjects. By this time the hostile feeling of the Dutch population was becoming uncontrollable. Fresh seizures of shipping were reported, and there was an outburst of anger against the authorities which allowed such injuries to pass unredressed. The ruling oligarchy was quickly convinced that any further cringing before the arrogance of Englishmen would bring on a revolution in favour of the House of Orange. Accordingly, on June 20, Pauw was ordered to present a final demand for redress, and on the 30th, failing to obtain a satisfactory reply, he and his colleagues bade farewell to the English Parliament, and almost immediately afterwards returned to their own country.[1] Before leaving, one of them expressed his own dismal foreboding. "The English," he said, "are about to attack a mountain of gold; we are about to attack a mountain of iron."[2] The Dutch, in fact, had an enormous commerce to protect with a comparatively

June 5. Pauw sent to England.

June 20. An ultimatum ordered.

June 30. The ambassadors take leave.

Forebodings of the Dutch.

[1] Pauw's Propositions, June $\frac{14}{24}$, *A Declaration of Parliament*, p. 36, E, 669, 19; *Aitzema*, iii. 719; *C.J.* vii. 147; *Merc. Pol.* E, 669, 3; *The Weekly Intelligencer*, E, 669, 10.

[2] *Aitzema*, iii. 721.

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Prospects on both sides.

small navy; the English had to protect a comparatively small trade with a large, well-equipped, and efficient navy. Consciousness of strength indeed filled the minds of the little group of men, amongst whom Scot and Hazlerigg appear to have taken a leading part,[1] who drew England into war by insisting on terms which, if accepted, would have ruined Dutch commerce almost as completely as war itself against a prevailing enemy. Their own confidence in speedy and complete success was unbounded. It would be as easy, said one of them, to drive the Dutch out of the Channel as to subdue a child.

That Cromwell[2] had no liking for the war is

[1] No names are mentioned in connection with this party, but the language of Scot and Hazlerigg in 1659 leaves hardly any doubt as to their position in 1652. "I believe," said Scot, "we are rivals for the fairest mistress in all Christendom—trade." Hazlerigg declared that God had blessed the Dutch war. Burton's *Diary*, iii. 394, 458. Writing on Feb. $\frac{18}{28}$, 1653, Pauluzzi speaks of the authors of the war as being 'in pochissimo numero.' Somewhat later, Daniel O'Neill (*Hist. Review*, 1893, p. 589) writes: "As for sea affairs the war at first was set on by those that were the procurers of the Act prohibiting trade, which Act was procured by some few men for their interest. When it came to be known that the Dutch took it so ill, it was disputed hard whether it should be revoked; it was found that it would be for the dishonour of Parliament to revoke an Act of that nature for the pleasure of any foreigner, and that, if it should be done, it would be thought it were done out of fear; therefore it was resolved that they would maintain it, upon which both parties prepared for war, which hath continued." O'Neill lays too exclusive stress on the Navigation Act as the cause of quarrel, but he agrees with Pauluzzi as to the small number of men who brought the war about.

[2] "Cromwell *Maistre par tout* bedroock zijn eyghen confraters, gaf eerst voor men moost Hollandt te vrient houden maer siende datte meeste part goet Spaens wiert, en datter eenighe hun beroemden met het sluyten van 't Canael den Hollander soo licht als een kint te dwingen, soo geviel het datter 4 Parlaments-heeren in desen de voorbatigste Cromwel aen hun snoer kregen met desen regel:—Ingevalle dat onsen Oorlogh onse desseynen teghens Hollant niet wel en willen succederen wij konnen althoos ons met hun appaiseren, dewijle zij sulcks aen haer en alle grootsten vyant den Spaenjaert na 80 jaren

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Cromwell accepts the war.

beyond doubt, and, according to one witness, he was only reconciled to it by the assurance that it would be quickly over, and that, in any case, there would be no difficulty in coming to terms with a nation capable of living in amity with Spain after a deadly contest ranging over eighty years. He was not likely to be convinced by such arguments alone. He had opposed the war because the Dutch were Protestants, not because he thought them right in the matter of the prizes and the flag. Charitable as he was, there was a limit beyond which his charity could not go. He could no more enter into the feelings special to a Dutchman or a Frenchman than he could enter into the feelings of an Irishman or a Cavalier.

The objects of naval war.

It was no misunderstanding of the conditions of war at sea which led the English mariners to fix upon the destruction of Dutch commerce as the best road to success. It has of late years, indeed, become a maxim of naval warfare that the primary object of a commander at sea is to strike down the enemy's fleets, thus securing such preponderance of fighting power as will enable him to blockade the hostile ports and will leave his own government free to despatch military expeditions without hindrance towards any part of the hostile coast which it desires to attack. It was in this way that the victory of La Hogue enabled William and Marlborough to conduct operations in Flanders, and the victory of Trafalgar enabled Wellington to conduct operations in the Peninsula.

oorlogh niet en hebben gheweygert." *Hollandsche Mercurius*, 1652 p. 36. The phrase 'goet Spaens' is curious. In a Dutchman's mouth, it may have been a mere survival from the war-time, when to be a friend of Spain was to be an enemy to the Republic. See, however, το ξειφος (*sic*) των μαρτυρων, a pamphlet published on July 10, 1651 (E, 637, 2), in which the Independent party is described as the Spanish faction; and as a matter of fact they appear to have been hostile to Cromwell's notion of an alliance with France.

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No such results would have been obtained if Russell in 1692, or Nelson in 1805, had captured every French merchant vessel in existence, because neither the France of Louis XIV. nor the France of Napoleon depended on her commerce for the bare subsistence of her population.

The danger to the Dutch from their commerce.

It was otherwise with the Dutch Republic in 1652. Her population received sustenance almost entirely from her enormous commerce. The destruction of that commerce would entail, as a certainty, the starvation and consequently the submission of her people. Her fleets, conscious of the danger, would be employed in the protection of her own trade, whilst there was comparatively little on the English side to invite attack. An English raid upon the enemy's merchant shipping was therefore the easiest way of searching for his fighting force. It followed that the English Government, after detaching a few vessels to convoy its merchantmen, had the whole of its remaining fleet disposable for service in any quarter which it might deem fittest to employ it, whilst the Dutch commanders being of necessity pinned down to certain trade routes, their movements could be calculated to a nicety.

Geographical advantages of England.

Nor was this all. The geographical configuration of land and water was eminently advantageous to the island commonwealth. The shores of England—to adopt the language of a sea-captain of the day—covered the track of Dutch commerce 'like an eagle's wing extended over her body,'[1] with the additional advantage that during three-quarters of the year the prevailing winds were westerly, thus making it difficult

[1] *A Discourse between an English Sea-Captain and a Dutch Skipper, Add. MSS.* 11,684, fol. 30.

even for a superior force to inflict much damage on the harbours on the English side of the North Sea. On the other hand the Dutch merchantmen, with the exception of those engaged in the Baltic trade, had to run the gauntlet of the Channel, where they would be exposed to an enemy able to sally forth from any one of the ports on the northern shore and retreat to a point of safety at his pleasure. The only alternative was the long and hazardous passage round the north coast of Scotland, and even when this risk had been faced by a homeward-bound fleet, a hostile force might easily cut it off before the shelter of the Texel had been gained.

The Dutch commanders.

Even under more favourable circumstances the Dutch fleet could hardly expect to meet the enemy on equal terms. It is true that its commanders, and more especially Tromp himself, were not easily to be matched in any navy at any time; but though the fire of patriotism burnt in their hearts and in those of many of their subordinates, it could hardly compensate for the sluggishness of the administration which again and again in the course of the war was to allow the fleets to put to sea insufficiently provided with the very necessaries of naval life. On the Dutch side too there had been a long intermission of employment in the face of an enemy, dating from the defeat which Tromp had inflicted on Oquendo in the Downs in 1639; whilst the English fleet, if never actually engaged in battle, had been employed in arduous protective service during the Civil War, and had more recently been actively employed in the blockade of Lisbon and the pursuit of Rupert. Of another cause, often alleged to have contributed to the English success, it is more

Sluggishness of the administration.

The English fleet in better order,

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and the crews more enthusiastic.

difficult to speak with certainty. The strong Puritan zeal which is supposed to have animated the officers is, indeed, except in a few instances,[1] conspicuously absent from their letters, and few of them, and still fewer of the crews, can have been under any sort of impression that they were, as far as the war was concerned, specially under Divine protection. Yet the tide of religious emotion which had swept over the country could not fail to leave behind it a mental and spiritual vigour which prompted men to worthy action on mundane fields.[2]

The English undervalue the enemy.

Great however as their advantages were, it was hardly wise in Englishmen to undervalue the enemy, and to forget that the Dutch sailors came of a warlike race, inured to the hardships and exploits of the sea, and led by captains second to none in fertility of resource. It was known in England towards the end of May that Tromp had not succeeded in bringing together more than fifty sail, and his retreat after the combat off Folkestone was taken as a confession of inferiority. The Government, therefore, did not

June 26. Blake sails against the herring fleet.

hesitate to divide the fleet. On June 26 Blake sailed to disperse or destroy that fruitful source of wealth, the herring fleet in the North Sea, whilst Ayscue, who, since his return from Barbados, had been lying at Plymouth, was brought up to the Downs with a small squadron to intercept the tide of Dutch commerce as it swept through the Straits of Dover. Neither Blake nor Ayscue appear to have considered this disposition in any way faulty.

Ayscue was not long in carrying out his orders.

[1] Such as that of John Poortmans, a Fifth-Monarchy man, some of whose letters are amongst the *State Papers*.

[2] Mr. Geddes is, I think, mistaken in throwing all the blame of worldliness on the Dutch.

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On July 2 he made havoc of a Dutch merchant fleet. Twenty-six ships were driven ashore near Calais, seven taken, and three burnt. Another rich vessel was forced on the sands beyond Gravelines, and of the whole number only seven got clear away.[1] Blake himself was no less successful in his inglorious warfare. Followed by about sixty ships[2] he made his way northward, and on July 12 eight of his frigates, speeding in advance of the main body, fell in with the herring fleet not far short of the Orkneys. After a stubborn fight of three hours they succeeded in capturing the twelve Dutch men-of-war serving as its guard. Most of the busses made their escape, but about thirty were captured. Blake, merciful as ever, contented himself with taking a toll of a few herrings; after which he bade the fishermen return home and fish no more. He then passed on to the Shetlands to look out for the Dutch East Indiamen, who were expected to return that way.[3]

July 2. Ayscue destroys a Dutch merchant fleet.

July 12. Blake amongst the herring busses.

He makes for Shetland.

Tromp, when he heard what course had been taken by the enemy, would gladly have followed in his wake. By the time, however, that his ships had left their harbours a strong northerly wind was blowing, and as pursuit was hopeless for the present, he resolved to utilise the time of inaction by striking a blow at Ayscue, who with barely twenty ships was lying in the Downs. Reaching the back of the Goodwins on the 8th, he waited his opportunity, and on the 10th sailed in from the northward, leaving the remainder of his fleet to block the southern channel.

Tromp at sea.

July 8-10. He threatens Ayscue in the Downs.

[1] Ayscue to Pembroke, July 3, *The Weekly Intelligencer*, E, 670, 7.

[2] The number is variously given, but sixty were counted from Dunbar on July 1.

[3] Blake's despatch, July 21, *Several Proceedings*, E, 796, 11; Letter from the 'Resolution,' July 31, *Perf. Diurnal*, E, 796, 14; Letter from Leyden, Aug. $\frac{4}{14}$, *Merc. Pol.* E, 673, 1.

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Ayscue had done what he could with the scanty force at his command. Mariners had flocked to his assistance, and two platforms supporting heavy ordnance were raised on the beach between the castles of Deal and Sandown. Two troops of horse and some companies of the county militia were ready to assist in the defence. The wind, however, was feeble and the tide turned before Tromp could reach the enemy. Before it turned again a strong south-westerly wind sprang up, and Tromp, having no time to spare, abandoned the attack on Ayscue and made all sail after Blake.[1]

July 10. Sails to the north.

July 26. The great storm.

Not till the evening of the 26th did Tromp, after passing through the Sound which divides Orkney from Shetland, catch sight of the English fleet far away to the north. Before he could come up with it a furious north-westerly gale sprang up, making all progress impossible. Blake was indeed able to round the northern extremity of the Shetlands into smooth water; but Tromp was exposed to the full fury of the storm beating on a lee shore. One man-of-war and three fireships were dashed to pieces on the rocks. On the following morning, the fierceness of the gale having somewhat abated, the Dutch Admiral made for home, followed by less than half his fleet. Ultimately the greater number of the remainder reached the ports of Holland, long after their safety had been despaired of.[2]

July 27. Tromp makes for home.

Aug. 16. Ayscue's action off Plymouth.

The first real battle of the war—the fight off Folkestone can hardly be regarded as such—fell to the lot of Ayscue. Having been reinforced, he made his way down Channel on the look-out for prizes, and

[1] Letter from Ayscue's fleet, *The Weekly Intelligencer*, E, 671, 5. Tromp's despatches are in the Archives at the Hague.

[2] *Hollandsche Mercurius*, 1652, p. 79.

on August 16, when he was some distance off Plymouth, he fell in with De Ruyter, who was convoying a fleet of outward-bound merchantmen. De Ruyter, nothing loth, prepared for action, bidding his crews fight like men for their fatherland and the freedom of the seas.[1] After a sharp engagement Ayscue fell back upon Plymouth to repair damages, and De Ruyter so far gained his object as to be able to pursue his course without the loss of a single merchantman. Each side declared itself to have been outnumbered, and it is possible that Ayscue counted some of the merchantmen amongst the available forces of the enemy.[2]

July 9. Cathedrals again threatened.

Small as the results of the war had hitherto been, it cost money, and the finances of the Commonwealth were in no flourishing condition. Various expedients were thought on to fill up the deficit. On July 9 a committee was appointed—it is said at the instance of the fanatics of the army[3]—to select cathedrals for demolition and sale.[4] A few weeks later its choice fell on Canterbury.[5] Some relics of piety or good sense however sheltered the noble minster, and the monstrous proposal was never carried into execution. An old familiar expedient was resorted to in preference, and on August 4 Parliament directed that the lands of twenty-six Royalist delinquents should be sold for the benefit of the navy.[6]

Aug. Canterbury selected for destruction, but spared.

Aug. 4. Lands of delinquents to be sold.

The war disliked in the army.

In the meanwhile some efforts had been made to stop the flow of blood. Cromwell's dislike of the war was shared on religious grounds by many of his

[1] Brandt, *Leven.-van M. de Ruyter* (ed. 1797), i. 61.

[2] *Ib.* i. 58. *A Great Fight near Plymouth*, E, 674, 7.

[3] News from England, July $\frac{16}{26}$, *Clarendon MSS.* ii. No. 770.

[4] *C.J.* vii. 152. See vol. i. 418 for an earlier proposal of the same kind.

[5] Pauluzzi to Morosini, $\frac{\text{Aug. } 26}{\text{Sept. } 5}$, *Letter Book R.O.*

[6] *Scobell*, ii. 193.

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officers, whilst Hugh Peters, who had formerly resided as a preacher at Rotterdam, continued to sympathise with the nation which had hospitably entertained him in the days of persecution. On July 21 he urged the Dutch congregation worshipping at Austin Friars to petition Parliament for a revival of the peace negotiations. The petition was drawn up, and Cromwell offered to support it. "I do not like the war," he said to those who brought it, "and I commend your Christian admonition. I will do everything in my power to bring about peace."[1] It was probably a result of Cromwell's efforts that, about the beginning of August, Balthazar Gerbier, a Zealander who had served Buckingham as a painter and Charles as a diplomatist, was despatched as an unavowed agent of the Commonwealth to discuss with the statesmen at the Hague the chances of a renewal of the dropped negotiation.[2] Gerbier carried with him a letter from Hugh Peters, recommending him to Nieuport, one of the leading personages in Holland, and giving assurance that men like Cromwell, Vane, Whitelocke, and Bond were anxious to put an end to the fratricidal war.[3]

July 21. Hugh Peters instigates a petition for peace.

Cromwell supports it.

Aug. Gerbier's mission.

In such an overture Cromwell might fairly take his part. It was reserved for Hugh Peters, with characteristic indiscretion, to urge Ayscue, some little time after his fight with De Ruyter, to leave the service rather than take any further part in a war waged against a Protestant State. Ayscue appears to have been personally opposed to the war, but he knew

Peters urges Ayscue to abandon the service.

[1] *Aitzema*, iii. 731, 732.

[2] An order was made on July 30, by the Committee of Trade and Foreign Affairs, to request the Council of State to grant a pass to Gerbier and to give him 50*l*. *Interr.* I, 131, p. 16.

[3] De Witt to Van Beuninghen, Sept. 14, quoted by *Geddes*, 281, note 2.

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Relations with France and Spain.

his duty as an officer, and at once transmitted the letter to Parliament.[1]

The question of peace or war with the Dutch could hardly be kept entirely apart from that of peace or war with France. If, as can scarcely be doubted, the dismissal of Gentillot in July was mainly, if not wholly, the work of the party which desired to prolong the existing war, it may be assumed that this party too was responsible for a request made by the Council of State to Cardenas on August 12 that he should prepare the draft of a commercial treaty between Spain and England. On Sep-

Aug. 12. An overture to Cardenas

[1] "Lo stesso Generale Arcus ha transmesso al Parlamento una lettera scrittagli dal primo ministro predicante di Londra nella quale con molte artificiose et apparenti raggioni di zelo Christiano e di convenienza lo esortava a non combattere gl' Olandesi, popoli della stessa religione; ma si tiene per certo che motivo così religioso sia provenuto da quello interessato che tiene questa persona di molto contante del suo ingegno nelle passate guerre per cumulare il quale ha egli arditamente e sotto coperta d' ispirazione divina predicata la morte del defonto Rè, e di presente si dice haver egli publicamente detto che il Regno d' Inghilterra non possi quietamente sussistere senza un regio comando. Il gran credito che tiene questo ministro da à pensare, ma mal intesesi questi suoi concetti et la rissoluzione sua di scrivere contro il servizio pubblico gl' ha dato causa d' absentarsi per qualche tempo et di rittirarsi sotto la salva guardia del General Cromwell, dal favore di cui protetto spera senza dubbio remissione alle sue colpe et alla libertà del suo predicare." Pauluzzi to Morosini, Sept. $\frac{9}{19}$, *Letter Book R.O.* The passage about 'regio comando' probably refers to a renewal of the design for placing the Duke of Gloucester on the throne, which will be mentioned hereafter. It may be thought that Pauluzzi's story is contradicted by a statement in *Several Proceedings*, E, 797, 7, to the effect that Peters returned to Whitehall on Sept. 7, and that false reports had lately been circulated to his discredit. This story, however, is more fully given in *A Perf. Diurnal*, E. 797, 14, where we find, under the date of Sept. 14, that Robert Eels had published the following recantation: "Whereas I did lately disperse some malicious, base, scandalous pamphlets of an *Hue and Cry* and *Peter's Keys*, and in it very filthy and lying scandals which were brought to me by one Acton . . . these are to certify to the world that I acknowledge that I have done Master Peters so much wrong that I am ashamed." The pamphlet here referred to is, *A new hue and cry after General Massey and some others who by help*

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tember 2 he complied with their demand and laid his proposal before them.[1]

1652 Sept. 2. Draft of a Spanish treaty.

Some time must elapse before the Spanish ambassador could expect to receive a definite answer on so intricate a proposal. He had already taken advantage of the renewed favour lately shown to him to press the Council to a step which would be eminently conducive to his master's interests. Since the fall of Gravelines in May Dunkirk had been closely besieged, and at last Estrades had been compelled to signify to the Spanish commander his intention of surrendering on September 6, unless supplies reached him before that date. To avert that catastrophe Vendôme, the Admiral of France, had been preparing a flotilla of store-ships which, guarded by eight armed vessels, was despatched from Calais on the 4th. Three days earlier, however, Cardenas obtained from the Council of State an order to Blake to frustrate the undertaking on the pretext that the right of reprisal for damages done to English commerce was valid even against ships in the service of the French King.[2] Blake accordingly, in fulfilment of his orders, fell upon the relieving fleet whilst it was still on its way from Calais, carried seven of the men-of-war into Dover, and captured, destroyed, or dispersed the store-ships, with the result that Dunkirk surrendered on the following day.[3] By French historians

Cardenas urges the Council to support Spain before Dunkirk.

Dunkirk hard pressed.

Sept. 4. A relieving fleet sent from Calais.

Sept. 1. The Council of State orders Blake to prevent the relief.

Sept. 4. The French fleet destroyed.

of Peter's Keys escaped from the Tower of London. This was published on Sept. 6 (E, 674, 26), and charges Peters not with political misconduct but with loose living. On Sept. 17 Peters preached before Cromwell at Whitehall, when, according to the *Weekly Intelligencer* (E, 675, 4), 'there were none that heard him but cried down the libels spoken and printed against him.'

[1] Cardenas to Philip IV., Sept. $\frac{10}{20}$; Cardenas's propositions, *Guizot*, i. App. xxi. 8.

[2] Cardenas to Philip IV., Sept. $\frac{10}{20}$, *Simancas MSS.* 2,528.

[3] Report by M. de Menillet, Jal's *Abraham Duquesne*, i. 203;

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Sept. 5. Surrender of Dunkirk.

Blake's action has been characterised as a scandalous attack on a friendly nation.[1] By the English authorities it was regarded as a mere incident in a war of reprisals legitimated by the fact that the commanders of the French King's fleet in the Mediterranean had been the first aggressors.[2] Though no evidence to that effect exists, it is probable that the English Government was influenced by its disgust at the long hesitation of Mazarin to comply with its wishes by placing Dunkirk unreservedly in its hands, and by refusing to recognise the Commonwealth unconditionally. What part Cromwell took in the matter we have no means of knowing.

Sept. 8. The crews restored, but no explanation vouchsafed.

The majority in the Council of State had rightly gauged the unwillingness of Mazarin to add to the declared enemies of France. Parliament, indeed, ordered that the crews of the captured vessels should be restored, but the vessels themselves were retained, and a claim for redress made by Vendôme was contemptuously rejected, on the ground that the Council 'did not know the Duke.'[3] Any demand of this nature must be made by an ambassador formally appointed by the King, and that ambassador must begin by recognising the Commonwealth in England. The

Gentillot to Servien, Sept. $\frac{7}{17}$, $\frac{14}{24}$; Vendôme to Blake, Sept. $\frac{13}{23}$; Vendôme to the Parliament, Sept. $\frac{13}{23}$; *Guizot*, i. App. xx. 1–4; *French Occurrences*, E, 675, 3; *The Faithful Scout*, E, 797, 8.

[1] "Mais," wrote the Council to Vendôme on Dec. $\frac{2}{12}$, "trouvant que depuis quelques années les personnes, vaisseaux et biens des marchands anglais trafiquant ès mers Méditerranées ont été pillés et pris non-seulement par les sujets de France, mais par les navires propres du roi, et qu'on ne peut obtenir satisfaction de ces dommages sur les navires et biens de la nation française, il a autorisé ledit général pour tâcher d'avoir réparation de ces dommages sur les navires et biens de la nation française." *Guizot*, i. App. xx. 5.

[2] See the Preface to this volume.

[3] *C.J.* vii. 175; Salvetti's Newsletter, Oct. $\frac{1}{11}$, *Add. MSS.* 27,962 N. fol. 438.

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idea of carrying on a lucrative commerce through Dunkirk gained the upper hand, and it was believed that this result would be easy of attainment now that the place was in Spanish hands.[1]

Jan.-Mar. Charles seeks aid of the Catholic Princes.

There was, at least, one quarter in which every prospect of increasing the number of the enemies of England was highly welcome. In the early part of the year Charles had striven to win the aid of the unstable Duke of Lorraine by proposing a marriage between his daughter and the Duke of York.[2] Then came a scheme for a visit to Germany with the purpose of asking the Emperor and the Princes to assist him, or, if a personal appeal proved impracticable, of sending an ambassador with the same object. A more ambitious scheme was one for mediating peace between France and Spain in the hope that the two governments would then combine to assist him to recover his rights.[3]

The outbreak of the Dutch war appeared to open a more hopeful prospect before the exile. It would be easy, he appears to have thought, to induce the avowed enemies of England to take up his cause, and to gain for themselves the support of his partisans in the country. Early in September his agents at the Hague implored the Dutch to send an expedition to seize Newcastle in the King's name and to bring the Commonwealth on its knees by cutting off the supply of coals. If William II. had been still alive the proposition would at least have received favourable consideration. As matters stood

Sept. He asks the Dutch to seize Newcastle.

[1] *Merc. Pol.* E, 675, 20; compare the project for removing the staple to Flanders in *Thurloe*, i. 231.

[2] Instructions to Norwich, Feb. $\frac{5}{15}$, March $\frac{6}{16}$, *Clarendon MSS.* ii. Nos. 644, 685.

[3] Nicholas to Hyde, $\frac{\text{April } 29}{\text{May } 9}$, *Nicholas Papers*, i. 297; Hyde to Nicholas, June $\frac{12}{22}$, $\frac{\text{June } 26}{\text{July } 6}$, July $\frac{1}{11}$, August $\frac{13}{23}$, *Clar. St. P.* iii. 77, 80, 82, 89.

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it was unhesitatingly rejected. The oligarchy which commanded the Provincial States of Holland had no desire to aggrandise the uncle of the young Prince of Orange, and they also shrank from a step committing them irretrievably to the prolongation of a war which they would willingly bring to an end.[1] Possibly the overtures brought by Gerbier had strengthened them in their resolution. They knew that the army desired peace, and that when the army had set its mind on anything, it usually had its way. "Churchmen were, lawyers are, and soldiers shall be" was at this time a popular saying in the streets of London.[2]

This proposal rejected.

For the present, however, the continuance of the war was an absolute necessity, and the heavy losses which had been suffered rendered the Dutch people impatient of the disorganisation of their existing constitution. An outcry was raised for the restoration of the Stadtholderate, that unity of authority might be restored to the loose confederation of states. It was almost inevitable that men of action should be favourable to the principle of the Orange party, and, in spite of Tromp's unswerving fidelity to his country, the knowledge that his sympathies lay with that party could not fail to expose him to suspicion. His failure to save the herring-fleet was unjustly thrown in his teeth, and the great seaman was suspended from his command whilst an inquiry was held into the causes of that disaster. With or without Tromp, now that Blake was once more in southern waters, a new fleet must be sent to sea to bring De Ruyter back in safety, after he had seen the convoy under his charge well into the open

Outcry for the restoration of the Stadtholderate.

Tromp suspended.

[1] Langdale to Clemson, Sept. 13, *Clarendon MSS.* ii. No. 820.

[2] *Aitzema*, iii. 737.

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Atlantic. The commander selected was Vice-Admiral De With.[1]

De With in command.

Under any circumstances the successor of the superseded hero would have had an uphill task. De With's difficulties were aggravated by the defects of his character. Though he was brave to the verge of rashness, and ready to throw himself heart and soul into the requirements of the service,[2] he had no self-control in presence of laxity of discipline, and he terrorised his subordinates by the severity of his punishments. He knew nothing of the art of inspiring great deeds in his comrades by a firm persuasion that they were capable of the greatest. The men who served under him felt their inspiration curbed by the knowledge that their conduct in the event of failure would be visited by a shower of recriminations from their commander. On attempting to hoist his flag on board Tromp's own ship the 'Brederode,' he was driven by the crew to seek quarters elsewhere. When at last he was on board a ship which he could call his own, he addressed himself resolutely to the task of reducing the crews of the fleet to order. According to his own account there was much to be amended. The beer was bad and stinking; the ships, perhaps in consequence, were full of sick men. Those who were in good health had no stomach for fighting.[3]

Defects of his character.

State of the Dutch fleet.

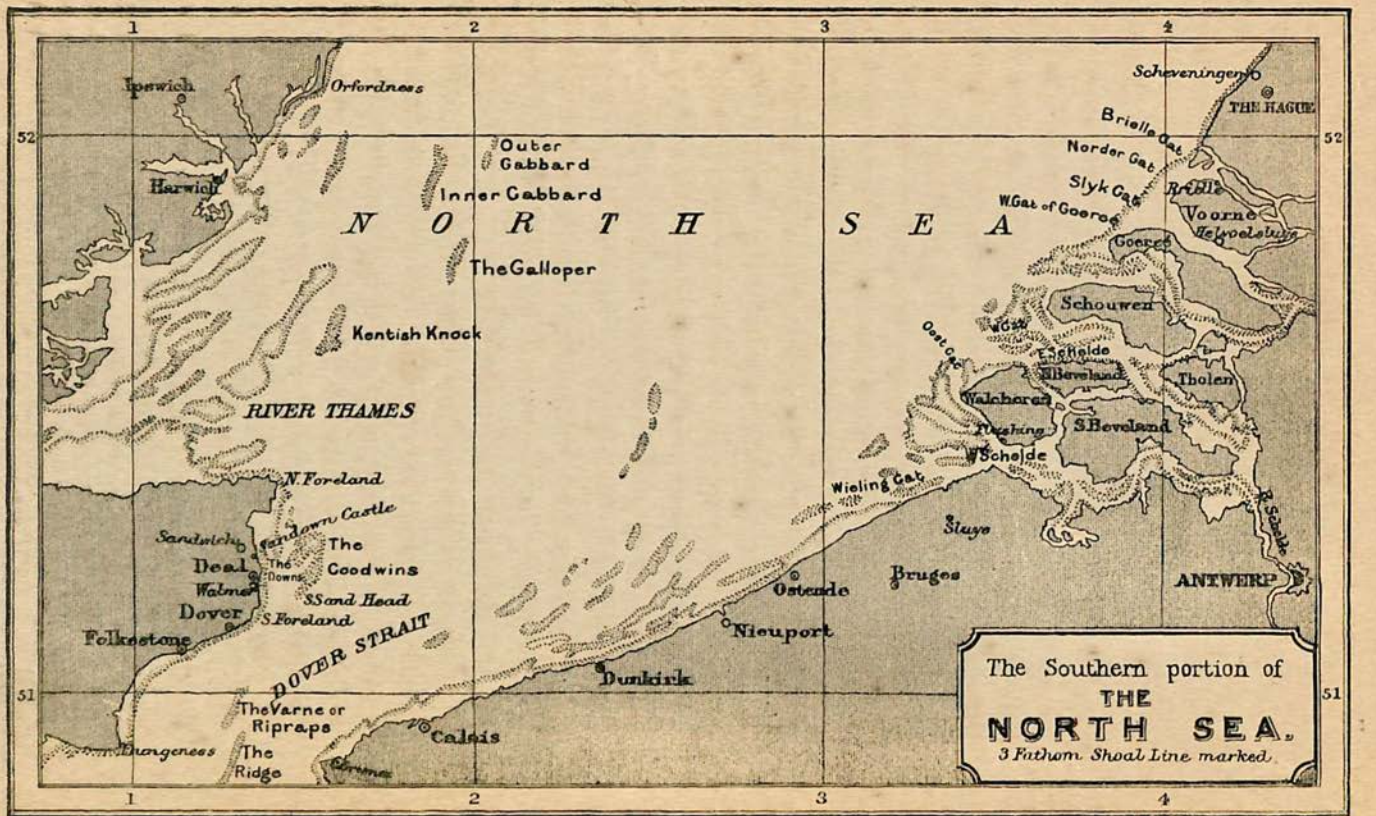
Blake's movements

Blake had no such complaints to make. His ships were well equipped, and his men well cared for and full of spirit. After his exploit off Calais,

[1] Geddes, *Hist. of . . . John de Witt*, i. 231, 235.

[2] In a despatch written by him after the battle of the Kentish Knock he enlarges with the utmost fervour on a plan of employing parchment cartridges, which, as he says, will prevent the guns from missing the enemy. He does not say whether they were of his own invention. *Hague Archives.*

[3] *Aitzema*, iii. 747; *Geddes*, 252.



The Southern portion of
THE
NORTH SEA.
3 Fathom Shoal Line marked.
NORTH SEA
RIVER THAMES
DOVER STRAIT
Ipswich
Orfordness
Harwich
Outer Gabbard
Inner Gabbard
The Galloper
Kentish Knock
N. Foreland
Sandwich
Sandown Castle
The Coodwins
Deal
The Downs
Walmer
S. Sand Head
Dover
S. Foreland
Folkestone
The Varne or Ripraps
The Ridge
Dungeness
Calais
Dunkirk
Nieuport
Ostende
Bruges
Sluys
Wieling Gat
Schelde
Walcheren
Flushing
S. Beveland
Tholen
Schouwen
Goeree
Voorne
Helvoetsluys
Brielle
Brielle Gat
Norder Gat
Slyk Gat
W. Gat of Goeree
Scheveningen
THE HAGUE
ANTWERP
R. Schelde
E. S. Waller

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he sailed down Channel to pick up Ayscue, in the hope of intercepting De Ruyter on his homeward voyage with their combined forces. De Ruyter's seamanship or good fortune enabled him to slip past them in the night, and on September 22 he joined De With. On the 22nd the united fleets anchored off Ostend, numbering about sixty-two sail.[1]

Sept. 22. Oct. 2. De With joined by De Ruyter.

For some days De With's movements were impeded by high winds, whilst Blake, whose numbers were slightly superior, was lying in the Downs. Ayscue was no longer with him, having thrown up his command nominally on the plea of ill-health; in reality, as there is little doubt, on account of his disapprobation of the war.[2] It was not till the 28th that De With's fleet was descried to the northwards, not far from the Kentish Knock. The zeal of the fighting Dutchman had outrun his discretion, and with the wind in the south-west he found himself to the leeward of Blake coming out of the Downs to meet him. Of this mistake Blake was not slow to take advantage. As the greater part of his own fleet was still some distance astern, he lay to till his whole command was assembled. Then, dashing into the midst of the enemy, he opened the battle.

Ayscue throws up his command.

Sept. 28. Battle off the Kentish Knock.

Blake was no Nelson, and he had none of that innovating tactical skill which had enabled Cromwell to convert a mere success into a crushing victory. He was however a bold and inspiring commander, and he might be trusted to fight to the last and to do every-

Blake as a tactician.

[1] *Geddes*, 254; *Aitzema*, iii. 749; Salvetti's Newsletter, $\frac{\text{Sept. 24}}{\text{Oct. 4}}$, *Add. MSS.* 27,962 N. fol. 433b; *Merc. Pol.* E, 675, 20.

[2] This pretext of ill-health is mentioned in *A Perfect Account*, E, 676, 6. Writing on $\frac{\text{Jan. 22}}{\text{Feb. 1}}$, Pauluzzi says that Ayscue 'con pretesti legitimi ha rittrovato il modo d' escusarsi dal servizio, e ne sta conseguito il suo intento con pubblica e sua particolare soddisfazione.' This implies intentional avoidance of service.

thing compatible with the somewhat primitive tactics of the day.[1] According to the prevailing system, it was of the utmost importance to gain the wind, in the first place because it enabled the commander to launch his fireships against the enemy, and in the second place because it placed his fighting ships in a position in which they could bear down upon the hostile fleet, and, thrusting themselves through it, could attack with their broadsides individual vessels on the less-defended parts—the bows or the quarters.[2] So slight was the carrying power of the cannon of those days, that not much damage would be inflicted upon the bows of the attacking force as it approached. This method had two main defects: by disseminating the attack amongst individual ships, it threw away the advantage which would have been gained if the whole fleet, or a large group of it, had concentrated its fire, as it passed through, upon a single portion of the enemy's defence; and further when once the attack was over, the positions of the two fleets with respect to the wind were reversed, and the enemy being now to windward was able in his

[1] The tactics of the fight with the Armada are explained by Sir H. Palavicino: "Our fleet had the wind throughout, and gave always occasion to the enemy to open out and to fight; but they chose rather to be followed and to bear away as well from Calais as from Dunkirk than to open out and permit the fight to become general, so as it was not convenient to attack them thus together and in close order, for that our ships being of smaller size would have had much disadvantage; but, in the continued assaults which they gave on them without entering, they made them feel their ordnance, and if any ship was beaten out of their fleet she was surrounded and suddenly separated from the rest." *Defeat of the Spanish Armada* (Navy Records Society), ii. 207. These tactics were out of place with an enemy standing his ground with smaller ships.

[2] On the other hand, if it came to boarding, an attack on the quarter was usually avoided, as the poop was raised so high as to be not easily accessible. See Smith's *Seaman's Grammar* (ed. 1652), p. 57.

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turn to attack in precisely the same fashion as he had been attacked before.[1] The result was that the advantage would fall to the best-equipped ships and the more disciplined crews, but to this result the skill of the commander-in-chief contributed but little. The idea of throwing the whole or a considerable part of a fleet upon one particular spot in the enemy's defence did not occur to any one for some time to come, and Blake was not the man to anticipate it.

Defeat of the Dutch.

De With was, as ever, full of fight. Whilst he was still at Ostend, he had told his despondent subordinates that he would bring them into the presence of the enemy, and the devil might bring them off. When Blake fell upon him he was beating to windward on the port tack. Then, probably in the hope of recovering the wind, he tacked to the southward, only to fall into the hands of Penn, who was now serving as Blake's Vice-Admiral. From that time no tactical skill was shown on either side. For three hours, wrote De With, in giving an account of the action

[1] That the ships which had the wind broke through the enemy's fleets individually is, I think, made out by the accounts of the battle of the Kentish Knock. In *A more perfect and exact Relation* (E, 676, 2) we find that Blake 'charged twice through the enemy's fleet with the "Royal Sovereign" and the "Resolution."' In *A Letter from General Blake's Fleet* (E, 676, 4) it is said that 'Major Bourne with the "Andrew" led on, and charged the Hollanders stoutly, and got off again without much harm'; and, again, that 'the "Sovereign" . . . sailed through and through the Holland fleet and played hard upon them.' *The Dutch Intelligencer* (E, 676, 5) tells us that 'the General . . . charged twice through the enemy's fleet with the "Royal Sovereign" and the "Resolution."' Of concerted action there is no sign, though ships, seeing a neighbour attacked, naturally came to her help, but this rather in the fleet assailed than in that assailing. That the system of passing through was accepted at the commencement of the war is shown by the fact that it was practised by both Ayscue and De Ruyter in the action off Plymouth. That it was so—De Ruyter boasts that he passed twice through Ayscue's fleet—though Ayscue had the wind at the beginning of the fight, shows that two fleets alternately exercised it upon each other.

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to the States General, 'I saw nothing but smoke, fire and English.' In the end the larger and more seaworthy vessels, the greater number of guns, and the mistake committed by the Dutch gunners in firing at the masts and sails rather than at the hulls of their opponents,[1] told in Blake's favour.

It was a symptom of the more far-reaching malady which was weakening the Dutch navy, that some twenty captains carried their ships out of the battle and made for home. Of these, as was afterwards noted, the greater number were Zealanders, and the province of Zealand was known to be full of suppressed indignation against the masterful statesmen of Holland. De With, unpopular amongst all under his command, was still more unpopular in Zealand, not only as a Hollander by birth, but as a devoted supporter of Holland against the Orange succession. There were parties enough and to spare in England as well, but there were no parties on board the English fleet.

When night fell the advantage was all on the English side. The next day there was no serious fighting, as De Ruyter and the other commanders compelled De With to abandon what was now a hopeless struggle, so that Blake was unable to do more than inflict some damage on the rearmost ships of the retreating foe. On the 30th the whole of the Dutch fleet was in safety at Goree, and Blake returned in triumph to England.[2] Yet, victorious

Sept. 27. Retreat of the Dutch.

Sept. 30. The Dutch at Goree.

[1] Only three men were killed in Blake's own ship the 'Resolution,' which was in the heart of the fight. "We," writes Penn, "had two men killed, another past hopes, and about five hurt; all our masts, except the mizen, very badly shot; our hull, sails, rigging and gear—as usual in such cases—somewhat shattered." *Mem. of Penn*, i. 447.

[2] *Aitzema*, iii. 750. Most of the English authorities have been quoted in the last note. Penn's own account is in *Memorials of Sir W. Penn*, i. 446. The account given in *Geddes*, 254–258, is specially

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as Blake had been, he had delivered no crushing blow. Two prizes had been taken by the English fleet, and each side claimed to have sunk some ships of their opponents. A Dutch war proved to be something very different from the child's play which its promoters had anticipated.[1]

In more distant seas the advantage lay more decidedly with the Dutch. An English commander, Appleton, who had been employed to convoy home the vessels engaged in the Smyrna trade, was blockaded in Leghorn by a superior Dutch fleet, and another commander, Badiley, approaching to relieve him, was on August 27 attacked off Elba by the Dutch under Van Galen; and being defeated with the loss of one ship, the 'Phœnix,' took refuge in Porto Longone, at that time in Spanish and therefore in friendly hands.[2] Yet more serious was the news that the King of Denmark, whose good understanding with the Dutch was notorious,[3] had detained in the Sound twenty English merchantmen laden with materials for the construction and repair of shipping.[4] Even before these tidings arrived, the necessity for increased expenditure had been foreseen, and on September 28, the very day of the battle of the Kentish Knock, an order was given to build no less than thirty new frigates.[5] Parliament was at least resolved to prosecute the war with vigour.

Appleton blockaded at Leghorn.

Aug. 27. Badiley defeated and driven into Porto Longone.

Ships stopped in the Sound.

Sept. 28. Thirty frigates to be built.

worth consulting, as he draws much of his information from unpublished sources on the Dutch side. The Dutch believed that Blake was reinforced on the second day by twenty ships. There is no mention of this in any English authority, and it is doubtless an error.

[1] See p. 120, note 2.

[2] Appleton to the Navy Committee, Sept. 3, *S. P. Dom.* xxiv. 120.

[3] See p. 83.

[4] *The Weekly Intelligencer*, E, 678, 14; Blackborne to Longland, Oct. 22, *S. P. Dom.* xxv. 25.

[5] *C.J.* vii. 186.

CHAPTER XXIII.

THE COMMAND OF THE CHANNEL.

FINANCIALLY the Dutch war imposed no slight burden on the Commonwealth. It was calculated that the building of the thirty frigates lately ordered would cost 300,000*l.* Even without this exceptional expenditure the yearly cost of the fleet was estimated at 985,000*l.*, whilst the revenue set apart to meet this charge amounted to no more than 415,000*l.*, leaving a deficit of 570,000*l.*; or, if the building of the new frigates was taken into calculation, of no less than 870,000*l.*[1]

Sept. Financial burdens.

To stop the deficit recourse was once more had to Royalist confiscations, this time on a vastly extended scale. A new Bill was brought in containing a long list of traitors, whose property was to be confiscated for the benefit of the navy. For weeks the House applied itself to the discovery of new names to be inserted, and when, on November 18, the Bill was at last completed, they had risen to the portentous number of 618.[2] For the most part the persons selected for undeserved impoverishment were quite insignificant, and would never have been marked out

Nov. 18. A new Confiscation Bill.

[1] *C.J.* vii. 210. The provision made for the navy is there given as 515,000*l.*, but unless 100,000*l.* has been omitted from the items, this must be a misprint.

[2] *Ib.* vii. 218; *Scobell*, ii. 210.

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for punishment but for the pecuniary necessities of the Government.

Doubts raised as to the prospects of sale.

Nor was it by any means certain that this last and most cruel of the Confiscation Acts would attain even the purpose for which it was designed. It was resolved to offer for sale the lands affected, by the now well-established process of doubling,[1] and it was hoped that 200,000*l.* would be almost immediately procured. Unfortunately for those who had made this sanguine calculation, buyers came slowly in. It was said that the extreme injustice of the measure would exasperate the Royalists, and thereby lead to a reaction which would weaken the value of the security.

Nov. The war not popular.

So far, at least, the policy which had brought on the Dutch war had failed to secure popularity for its authors. The Mediterranean and the Baltic trade were alike paralysed, and the preponderance in the number of Dutch prizes captured availed little to redress the balance. When English vessels fell into the hands of the enemy, the losses were borne by individual owners. When Dutch vessels were taken the benefit accrued to the State. The discontent created was the more dangerous to the holders of power because it was shared by the officers of the army,[2] amongst whom there had, from the beginning, existed a strong feeling against a conflict with a Protestant nation. About the middle of November a proposal was made in Parliament, with the full assent of the army, to send ambassadors to Copenhagen and the Hague with the object of ascertaining the views of the two governments on the terms of peace.[3]

Feeling of the army against the war.

A proposal to send ambassadors.

[1] See vol. i. 96.

[2] Pauluzzi to Morosini, Nov. $\frac{19}{29}$; *Letter Book R.O.*

[3] The soldiery, writes Pauluzzi, 'non havendo mai assentita la

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Nov. 24-25. Election of a fifth Council of State.

Under such circumstances the impending election of a fifth Council of State was regarded with unusual interest. For the first time since the establishment of the Commonwealth, an election of a Council was to be held on the broad grounds of political difference on a matter of public importance. When on November 24 and 25 the votes were taken, Cromwell was again found at the head of the poll, whilst members in favour of the continuance of the war were for the most part excluded, and members in favour of peace elected in their room. It was no less significant that a considerable number of officers were chosen, and that Blake himself—probably as the incarnation of the war-spirit—was shut out.[1] Yet, greatly as the balance of power had shifted in the Council, it was far from being answerable to a change of Cabinets in our own times. At present the parliamentary majority which places a government in office can be counted on to support it. In 1652 the majority melted away as soon as formed. Of 179 members qualified to sit in the House,[2] no less than 121 voted at the election. Only 62 remained

Success of the peace party.

Relations between Parliament and Council.

intrapresa della presente rottura con le Provincie Basse, intendono . . . sapere la vera intenzione cosi degl' Olandesi come delli danesi.' Pauluzzi to Morosini, Nov. $\frac{19}{29}$, *Letter Book R.O.*

[1] *C.J.* vii. 220. In his despatch of Dec. $\frac{3}{13}$, Pauluzzi (*Letter Book R.O.*) brings out the situation clearly. Twenty old members of the Council were first re-elected, 'havendosi in essa principalemente mirato a lasciare quelli che ben affetti agl' Olandesi mantengono in conseguenza più spirito di pace che per la continuazione della guerra. Nell' elezione parimente seguita degl' altri . . . si è havuto fine conforme, et a dar grande soddisfazione con essa alla gente di guerra, principalmente con inclusione di 10 colonelli.'

[2] *The names of the knights, citizens, and burgesses . . . as they now sit*, E, 1,246, 2. The date on which the list is taken is May 27, 1652. I have found no mention of any death among the members between that date and Nov. 24; and if none took place there would still be 179 at the time of the election.

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to take part in a division on the next day, and the day after that there were but 57.[1] The Council of State, though chosen by a majority, might easily find itself with no more than a minority at its back.

Yet, if circumstances had been favourable, the new Council would in all probability have lost no time in proposing the opening of a public negotiation.

Dec. 1. Whitelocke in the chair.

On December 1 it showed its leanings by calling Whitelocke to the chair—a parliamentary resolution having, towards the end of 1651, got rid of the permanent ascendency of Bradshaw by declaring the Presidency only tenable for a single month. Next to Cromwell, Whitelocke had received the greatest number of votes when the Council was elected, but it was doubtless in his favour that he was known as an advocate of peace. Before, however, the Council broke up from its first sitting, news arrived which made immediate negotiation impossible. The English fleet had suffered a serious disaster.[2]

Sept.-Nov. The Dutch attempt to restore discipline.

For some time after De With's defeat off the Kentish Knock, the Dutch authorities had striven to bring home to the deserting captains[3] the charges made against them by their Admiral. Yet amidst the janglings of rival provinces and rival maritime jurisdictions it proved impossible to secure any adequate punishment.[4] The only practicable remedy for the disease was to reappoint Tromp to the command from which he had been unworthily removed.

Nov. 21 Tromp puts to sea.

When, however, he put to sea on November 21, his movements were hampered by the charge of a fleet of 270 merchantmen, most of which were bound for Bordeaux to fetch home the season's wines. Having

[1] *C.J.* vii. 221, 222. All these figures include the four tellers.

[2] C. of St. Order Book, *Interr.* I, 68, pp. 1, 2.

[3] See p. 139.

[4] *Geddes*, 158.

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been joined by Evertsen, he found himself in command of eighty-five ships of war, with which, on the 24th or 25th, he anchored off Dunkirk.[1] Blake, who was lying in the Downs, had no more than forty-two sail under his orders.

Nov. 25. Tromp off Dunkirk.

It was not altogether Blake's fault that his numbers were so reduced. On October 3, a few days after his victory off the Kentish Knock, he had reminded Parliament of the likelihood that the Dutch, even after their defeat, might send out convoys through the Straits, and had urged it to hasten the work of provisioning the fleet under his own command in order that it might be ready to intercept them.[2] Comparatively little of Blake's correspondence during this period has reached us, but sufficient indications exist to make it clear that he was for some weeks pressing on the authorities the duty of provisioning and manning the fleet.[3] A considerable number of his ships were refitting or victualling in the Thames and elsewhere,[4] and men and provisions were hard to come by. On November 12 Blake was ordered to detach twenty ships for service under Captain Peacock in the Mediterranean, where Badiley and Appleton were hard pressed. It is true that the Council of State assured him that these ships, which were ordered to rendezvous in Stokes Bay on

Oct. Reduction of Blake's fleet.

Oct. 3. He urges Parliament to victual his ships.

Nov. 12. He is ordered to detach twenty ships for the Mediterranean

[1] *Aitzema*, iii. 762.

[2] Blake to Lenthall, Oct. 3, *Tanner MSS.* liii. fol. 128. The fleet appears to have been provisioned up to Oct. 1. Navy Commissioners to the C. of St., July 23, *Add. MSS.* 9,306, fol. 81b.

[3] Notices will be found scattered over the Order Book of the Council of State. There was also a letter from Blake on Nov. 2, *C.J.* vii. 210.

[4] Colliber's statement, which has been generally adopted, that twenty of his ships had gone to convoy colliers, and that twelve more were at Plymouth (*Columna Rostrata*, 109), rests on no contemporary authority. As to Plymouth, we have, amongst the State Papers,

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December 1, should be replaced by others;[1] but it was easier for the Council to promise than to perform. So great were its financial embarrassments that it had for some time been unable to pay the wages of the sailors. On November 24 the Navy Commissioners wrote that the crews of three of the ships in the Thames had mutinied, and, in spite of the arrest of three of the ringleaders, had deserted in a body. It was impossible for them, they added, to supply provisions unless money were sent. Not a penny had been paid to the victuallers since May, and they declined to continue to furnish stores on credit.[2] The Navy Commissioners to whom the details of naval administration were committed were men of zeal and experience,[3] incapable of making such complaints without sufficient justification.

Nov. 24. Complaints of mutiny,

and of want of victuals.

Need of an increased navy.

Nor was the want of money the only source of danger. The requirements of the war called for an increase in the number of ships, which the State was unable to supply, though in the course of 1652

several letters from that port in October and November, and though there were ships there, there is no mention of the arrival of any reinforcement from Blake. As to the North Sea, the guard there was under the command of Peacock, from whose letter of Oct. 18 (*S. P. Dom.* xxv. 18) we learn that he had despatched three of his squadron to convoy colliers. He also mentioned two other of his ships as being disabled. If he had commanded anything like twenty ships, I feel sure that we should have heard of it, as we hear of eighteen ships being sent to the Sound under Ball to bring back the merchantmen detained by the King of Denmark, and of their return after they had failed in their object. Neither Ball nor Peacock, however, were in any way sent out by Blake, and I regard all that has been said in blame of Blake for scattering his fleet after the battle of the Kentish Knock as without foundation.

[1] C. of St. Order Book, Nov. 12, 17, 18, *Interr.* I, 35, pp. 67, 90, 94.

[2] Navy Commissioners to the C. of St., Nov. 24, *Tanner MSS.* liii. fol. 150.

[3] See Mr. Oppenheim's *Administration of the Royal Navy*, i. 306, 347.

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eleven ships of war were built, and thirty-three prizes taken into the service.[1] Even from the beginning of the war it had been found necessary to revert to the practice of employing hired merchantmen.[2] Already Penn had pointed out the danger of the system, and had recommended that a captain in the service of the State should be placed in command of each merchantman, the masters being frequently part-owners and therefore apt to prefer the safety of the vessel to the public advantage.[3] Penn's advice, however, was neglected, and it needed a touch of peril to bring its sagacity to light.

Merchant ships employed.

Penn's advice.

On November 24, the very day on which the Navy Commissioners had been complaining of commissariat difficulties, Blake wrote from the Downs to inform the Council of State that the 'Sapphire,' which had probably been sent out to procure intelligence, had captured a Dutch vessel, and had learnt from its crew that Tromp's fleet, though still scattered in the ports of Holland and Zealand, was preparing to put to sea. Later in the day he had to announce that he had himself counted eighty sail beating against a south-westerly wind freshening to a gale, and that no less than 200—the number was, no doubt, somewhat exaggerated—had been descried from Margate steeple.[4] What was seen was Tromp's fleet, which

Nov. 24. Blake hears news of the enemy.

Tromp's fleet in sight.

[1] Oppenheim's *Administration of the Navy*, i. 331, 332.

[2] A list of Blake's fleet at the end of June gives seventy-eight ships of the navy and twenty-six merchantmen, Penn's *Mem. of Sir W. Penn*, i. 429, 430.

[3] *Ib.* i. 427. The behaviour of the crews of the merchantmen at Cadiz in 1625 is a case in point. See *Hist. of Engl.*, 1603–1642, vi. 17.

[4] Two letters from Blake to the C. of St., Nov. 24, *Tanner MSS.* liii. 152, 154. Was Blake to blame for not having a swift vessel on the coast of Holland to give him notice of the actual sailing of the Dutch fleet? If the 'Sapphire' had gone on instead of returning with her prize, she would probably have brought the news. I do not,

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either that evening, or more probably the following morning, cast anchor off Dunkirk.

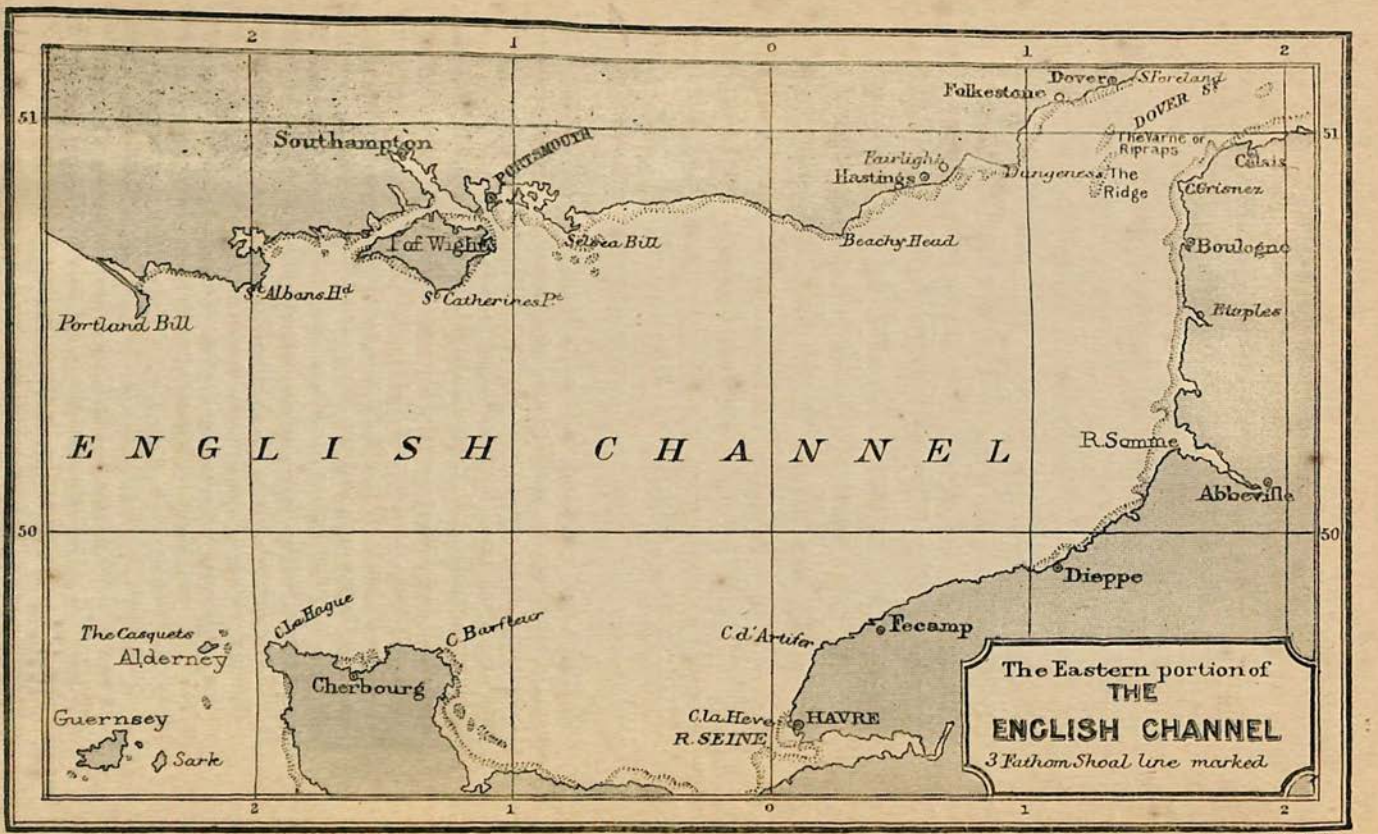
Nov. 29 Tromp comes to meet Blake.

On the 29th Tromp, audacious as ever, suddenly appeared off the southern entrance to the anchorage of the Downs, having left the merchantmen behind him in order that his movements might be unhampered. The wind was blowing from the south-west, and Blake, perhaps fearing the fate of Oquendo, hastily summoned a council of war, and by its advice gave orders to put out to sea. Probably he was now better victualled than he had been five days before, but in any case he was well enough supplied to fight a battle in the immediate neighbourhood of the English coast. It is true that he was only followed by forty-five sail—scarcely more than half the numbers of the enemy—yet he had fought at worse odds off Folkestone in May, and he seems to have confided in the superiority of his ships and men.[1] Soon after Blake left the Downs the wind shifted and, blowing hard from the north-west, compelled the English fleet to anchor off Dover, under shelter of the cliffs, Tromp also anchoring at some distance to leeward, probably on the outside of the shoal now known as the Varne, so as to take advantage of what shelter it afforded. With the dawn, the weather having moderated, Tromp shaped his course

Blake leaves the Downs.

however, see that on this occasion Blake lost anything by not knowing. Tromp must come through the Straits of Dover, and being encumbered with merchant ships his pace must be so slow that the English Admiral could catch him if he chose to do so. On the 24th Blake was, as far as we are able to judge, not in a condition to put to sea.

[1] Salvetti writes that Blake was confident 'più nella bontà de' suoi vasselli et valore de' suoi offiziali et soldati che nel numero.' Salvetti's Newsletter, Dec. $\frac{10}{20}$, *Add. MSS.* 27,962 N, fol. 482b. This is only valuable as showing the prevalence of a belief in London that Blake's resolution was not altogether unjustifiable.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Southampton
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Fairlight
Dungeness
The Ridge
The Varne or Ripraps
Calais
C Grisnez
Boulogne
Beachy Head
I. of Wight
Selsea Bill
St Albans Hd
St Catherines Pt
Portland Bill
Etaples
ENGLISH CHANNEL
R. Somme
Abbeville
Dieppe
Fecamp
C d'Antifer
C la Hague
C Barfleur
The Casquets
Alderney
Cherbourg
Guernsey
Sark
C la Heve
HAVRE
R. SEINE
The Eastern portion of
THE
ENGLISH CHANNEL
3 Fathom Shoal line marked
J.S. Wallace

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Nov. 30. The battle off Dungeness.

for Dungeness, and Blake, avoiding the mistake of bearing down on the enemy till they were both clear of the shoal, edged off in the same direction.[1] Off Dungeness the two fleets clashed against one another about three in the afternoon, Blake having still the advantage of the wind. Then followed a scene the like of which has never again been witnessed in the annals of the British navy. Twenty of Blake's ships—some of them hired merchantmen, some of them men-of-war—held aloof and took no part in the action. The disparity of numbers, great enough before, now became overwhelming. Blake with but twenty-five ships was left to struggle against eighty-five. No heroism could countervail such odds, and after losing two ships, the 'Garland' and the 'Bonaventure,' Blake was well satisfied to return to Dover, whence, on the following day, he made his retreat to the Downs.[2] His honour and the honour

Blake, deserted by twenty ships,

retreats with the loss of two ships.

[1] *The Coasting Pilot*, published in 1671, gives to this shoal the name of 'the Vane or the Rip-raps,' and states that there were on it 'but eleven foot at low-water.' It is from Blake's own despatch that I have drawn my conclusion as to his course, and the cause of his keeping near the land, in opposition to Professor Laughton's view in his life of Blake in the *Dict. of Nat. Biog.*, that Blake hesitated to engage, but was driven against the enemy by the trend of the coast. Blake's words are: "The wind increased at night, we riding in Dover Road, and the enemy about two leagues to leeward of us at anchor. The next morning proving less wind, the enemy first weighing, we weighed, keeping the wind to the Ness to get clear of the Rip-raps before engagement, the enemy sailing fair by us." Mr. Oppenheim suggested to me that Tromp's anchorage was outside the Varne—the distance of which from Dover is little more than that given by Blake—where he would find the necessary shelter. This would explain Blake's allusion to the Rip-raps. My own belief is that Blake meant to fight all along.

[2] *French Occurrences*, E, 683, 17, 26; *The Moderate Intelligencer*, E, 683, 19. The statement about the desertion was certainly believed in London: The Admiral, writes Bordeaux, had been defeated 'autant par la lacheté de ses capitaines que par la valeur des Hollandois.' Bordeaux to Brienne, Dec. $\frac{12}{22}$, *R.O. Transcripts*. Blake's own despatch is in Penn's

of the crews who followed him into the fight remained untarnished.

For a time the mischief was beyond remedy. Tromp picked up prizes at his pleasure, including the 'Hercules,' a man-of-war on her way from Portsmouth to the Thames. It is said that he was only prevented by want of pilots from making a dash at the Thames.[1] A party from his fleet landed on the

The Dutch triumph.

Mem. of Sir W. Penn, i. 458. Compare a letter from the fleet in *Perf. Passages*, E, 801, 13. 'An account of the sea-action' in the same newspaper was evidently trumped up in London. Besides other doubtful statements, it says that twenty of the ships were 'Merchant freebooters,' which is untrue. Can the writer have had a sight of Blake's despatch, in which he says that one cause of his defeat was 'the greater number of private men-of-war, especially out of the river of Thames,' meaning that these had taken up so many men as to leave some of his own ships undermanned? Tromp's despatch in *Hollandsche Mercurius* (1652), p. 107, gives a detailed account, mentioning the hours at which various events happened. The first shot was fired at one, but the action did not begin till three.

[1] *Hollandsche Mercurius* (1652), p. 109. Professor Laughton (*Dict. of Nat. Biog.*, art. 'Blake') expresses his disbelief in the story of Tromp's fastening a broom to his masthead. No Dutch authority mentions it, and no English authority earlier than the *Perfect Account* (E, 689, 14), published on March 9. What is there given is a piece of news written from aboard the 'Nonsuch' frigate, Portsmouth, Feb. 28, ten days after the first day's fight off Portland. "Their gallant Mr. Tromp," it is there stated, "when he was in France (we understand) wore a flag of broom, and, being demanded what he meant by it, replied that he was going to sweep the narrow seas of all Englishmen. And, indeed, at our first encounter, he having the weather-gage, came on so furiously as though he intended to swallow all up." Another pamphlet, *New Brooms Sweep Clean* (E, 689, 13), also published on March 9, tells us that "Van Trump is now pleased to declare against those who have purchased themselves fame . . . as evidently appears by his setting forth a flag or standard of broom, and, being demanded what he meant by it, replied that he was once more going to sweep the narrow sea of all Englishmen." In these two quotations—the other newspapers not mentioning the matter at all—there is nothing about the usual story of a broom hoisted after the battle off Dungeness. The broom is said to have been hoisted in France—that is to say, at a later date, when the Dutch fleet was waiting, off the Isle of Rhé, for the return convoy. It is, in the first place, exceedingly

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Tromp proceeds to the Isle of Rhé.

coast of Sussex and carried off cattle. Then, picking up prizes at his leisure, Tromp proceeded on his way, convoying the merchantmen entrusted to him as far as the Isle of Rhé. As he was instructed to remain within easy distance of Bordeaux till the wine fleet had been laden for its homeward voyage, the English Government had some weeks at its disposal in which to take precautions against a repetition of the disaster on his return.

Task of the new Council of State.

Thus it happened that the new Council of State, chosen to make peace, was confronted with the task of pushing on the war more vigorously than its predecessor. All thought of opening negotiations for peace must be swept aside for a time. The first difficulty of the Government was to soothe the injured feelings of Blake. The Admiral had offered his resignation, perhaps in consequence as much of a resolution of Parliament to give him colleagues in Deane and Monk as of his own defeat.[1] Blake's resignation having been summarily rejected, a request made by him that commissioners should be sent to inquire into the cause of the disaster was at once acceded to.[2]

Nov. 26. Deane and Monk joined with Blake in command.

Dec. 2. Commissioners sent to the fleet.

Whatever improvements might be suggested by

unlikely that a writer on board a frigate at Portsmouth should have been acquainted with anything passing near the mouth of the Garonne; and even the two publications just quoted know nothing of any broom hoisted during the three days' battle. On the other hand, after the victory had been won, there was every temptation to an English scribbler to invent a story which exposed Tromp as a braggart who had failed to carry out his boast, or even to invent a letter from Portsmouth to conceal his own mendacity. Those who have read Tromp's modest despatches will be the last to credit him with a boastful display.

[1] Blake's commission expired on Dec. 4, which gave Parliament an opportunity of making the change. The appointment was made on Nov. 26, *C.J.* vii. 222.

[2] Blake to the C. of St., Dec. 1; Instructions to the Commissioners, Dec. 2, Penn's *Mem. of Sir W. Penn*, i. 458-462.

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the commissioners, there could be no question that the financial difficulties of the Commonwealth had been at the root of the late disaster. On December 10, Parliament, driven at last to face the necessity of increasing taxation, passed an Act raising the assessment from 90,000*l.* to 120,000*l.* a month. Hitherto the whole of the assessment money had been devoted to the army. It was now arranged that a sufficient number of soldiers should be disbanded to enable the army to subsist on 80,000*l.* a month, thus leaving 40,000*l.* for the wants of the navy.[1] To obtain yet further resources an attempt was made to attract fresh purchasers of delinquents' lands, and directions were given for the sale of several of the houses of the late King,[2] whilst even the lapsed project for the sale of cathedrals was subsequently revived,[3] fortunately only to be once more laid aside.

1652 Dec. 10. The assessment increased.

Dec. 17. Delinquents' lands to be sold.

Dec. 31. The late King's houses to be sold.

1653. Jan. 11. Revival of the idea of selling cathedrals.

With this prospect of increased supplies, Parliament was able to give encouragement to the sailors on whose good-will it would have more than ever to rely. On December 21, the pay of able seamen was raised from 19*s.* to 24*s.* a month, and that of other ranks in proportion. At the same time increased advantages were offered in respect of prize-money, and special provision made for the sick and wounded.[4] With this and with the improvement of commissariat arrangements it became easier to complete the tale of mariners, though even now men deserted to a considerable extent. It does not follow that the bulk of the seamen were discontented with their lot. It was rather the necessity of adding new and untried men to make up the large numbers now required which created discontent, especially amongst those who were

1652. Dec. 21. The pay of the sailors raised.

Prize-money rates.

Desertions continue.

[1] *C.J.* vii. 228.
[2] *C.J.* vii. 245.
[3] *Scobell*, ii. 227.
[4] *Ib.* vii. 231–233.

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pressed forcibly into the service.[1] To secure the obedience of the crews of hired merchantmen, Penn's advice[2] was at last taken, and directions were given that in future the captains of these vessels should be chosen, and even subordinate officers approved by the Government.[3] With the object of securing discipline in the fleet at large articles of war were, on December 25, for the first time issued.[4] In order to produce immediate results some of the delinquent captains who by hanging back on November 30 had largely contributed to Blake's defeat were sent to London for trial. As, however, proceedings against them were ultimately dropped, it is probable that they were able to show that their ships were in truth so undermanned as to necessitate the course they had taken.[5]

Dec. 17. Penn's advice taken.

Dec. 25. Articles of war.

Proceedings against delinquent captains.

The most formidable difficulty in the way of maintaining the supremacy of England at sea was, however, the closing of the Sound by the King of Denmark, which had for some weeks been an accomplished fact. The Baltic trade of pitch and tar, of hemp and masts, was thus cut off. At once the

Effect of the closing of the Sound.

[1] The result of pressing, above referred to, will appear hereafter.

[2] See p. 147.

[3] C. of St. Order Book, *Interr.* I, 68, p. 116.

[4] *Laws of War*, E, 684, 9. 'They were,' says Mr. Oppenheim, 'the first articles of war to which the service has ever been subjected,' though they 'were grounded on some regulations for the government of Warwick's fleet passed by the House in March 1648' (*Administration of the Royal Navy*, p. 311). Mr. Oppenheim adds very interesting information as to the subsequent incidence of punishment—mainly, it appears, on delinquent officers.

[5] Those sent for were Saltonstall, Young, Taylor, and Chapman. Wadsworth was soon dismissed, and Benjamin Blake, though relieved from his command, was declared to have been guilty of no crime. Their cases can be traced in the C. of St. Order Book. Of Young we know that on Nov. 24 his complement of men was short by thirty or forty. Navy Commissioners to the C. of St., Nov. 24, *Tanner MSS.* lii. fol. 150.

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good-will of Sweden became valuable in the eyes of the statesmen at Westminster, and on December 30 Lord Lisle was appointed ambassador to the Court of Queen Christina in the hope that he might induce that eccentric lady to join England in breaking the blockade of the Baltic. For the present, however, sufficient stores were attainable in England, and orders were given to secure a future supply of masts from Scotland, and to inquire into the capacity of New England to furnish the supplies necessary for the maintenance of shipping. Before the end of January the prospect was, however, darkened by the conclusion of a treaty between the King of Denmark and the Dutch, in which Frederick III. bound himself to maintain a fleet of twenty ships to exclude England from the Baltic.[1]

Dec. 30. Lord Lisle to go as ambassador to Sweden.

1653. Jan. 12. Supplies to be had from Scotland and New England.

Jan. 29. Treaty between Denmark and the Dutch.

In one way or another the fleet, which soon after its retreat to the Downs had taken refuge in the Thames, was manned and refitted. The sailors, though for the most part manageable enough, grumbled at the appointment of two land-officers to command in conjunction with Blake, especially as one of these—Monk—had never been at sea before. It is possible that this feeling of dissatisfaction gave rise to the only conflict between soldiers and sailors which took place in this war, though in every engagement a large number of the former had been on board the fleet, where they had played the part of seamen to the best of their ability. A party of sailors attacked a post in Kent in which soldiers were on guard, set fire to the magazine, and would have blown themselves up together with their antagonists but for the

The fleet refitted.

Sailors and soldiers.

[1] Order Book of the C. of St., *Interr.* I, 68, p. 140; Order Book of the Com. for Trade and Foreign Affairs, *ib.* 132, p. 24; Sainsbury's *Calendar of Colonial State Papers*, i. 396; *Aitzema*, iii. 790.

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intervention of the militia before the flames reached the powder store.[1]

Feb. The fleet drops down the river.

Early in February the fleet, consisting of fifty sail, dropped down the river, and though complaints were still heard that some of the ships were undermanned,[2] there could be no doubt that the force was in far better fighting trim than in November.

Its new organisation.

In imitation of the Dutch practice the fleet was now separated into three divisions, and these were distinguished by the colours of their flags—white, red, and blue. Each division was to have a definite leader, who would command a more manageable number of ships than when, as had happened off Dungeness, the whole fleet had to look for guidance to a single chief. The use of signals, however, was in its infancy. An admiral, when once action was determined on, could only offer to his followers the guidance of an inspiriting example. The services of Penn were retained in the post of Vice-Admiral, and to mark the increased value placed on the services of seamen, Lawson was appointed Rear-Admiral in the place of Bourne.[3]

Feb. 16. News of Tromp's approach.

By the middle of February Tromp was due on his return voyage from Bordeaux with seventy men-of-war and 150 merchantmen. On the 16th the English fleet, now increased to seventy sail, was beating down Channel against a westerly wind. It is impossible to avoid surprise that the seaman whom modern writers vaunt as the equal of Nelson threw out no swift-sailing vessels in advance to bring him tidings

[1] Pauluzzi to Morosini, *Pauluzzi's Letter Book*, Jan. $\frac{4}{24}$, $\frac{\text{Jan. } 22}{\text{Feb. } 1}$.

[2] Blake and Deane to the Navy Commissioners, Feb. 9, Deane's *Life of Deane*, 530.

[3] Lawson, though he had been in the land-service from 1645 to 1650, had commanded at sea before and after those dates.

of the position of the enemy, but trusted for information entirely to what news he might chance to derive from such shipping as fell in his way. From information thus obtained Blake discovered that Tromp was approaching and was some thirty or forty leagues to the west. It may be that he expected that the Dutch Admiral would choose the French side as less exposed to an English attack; but as far as the account given in the subsequent despatches of the three admirals goes, there is nothing to show that he was told by which shore the enemy was taking his course, and it can only have been in ignorance of this important matter that on the 17th the whole fleet, tacking against a north-westerly wind, stood over from the English shore to the Casquets, where he learnt from a Spanish vessel that Tromp was now some twenty leagues to the west, and also, it may perhaps be assumed, that he was hugging the English coast.

Feb. 17. Blake stands over to the Casquets.

Whether this was the case or not, the whole fleet made sail to the northward.[1] In the night the wind shifted to the north-west, compelling Blake to tack

Feb. 18. Tromp descried off Portland.

[1] The printed despatch in which the three generals give an account of the battle omits the opening paragraphs which are to be found in *Tanner MSS.* liii. fol. 215. It thus conceals Blake's faulty movements. In the suppressed passage the Generals state that on the 15th and 16th they plied across between the mouth of the Seine and Beachy Head, and heard from 'divers Hamburghers' and others that Tromp was thirty or forty leagues to the west. Afterwards the Generals say that 'in sight of the Casquets and Alderney we met a ship of the King of Spain, and learnt that Tromp was some twenty leagues to the west.' The writers go on to say that in the night they tried to 'lay themselves between Portland and the Casquets, it being not above fifteen leagues from shore to shore.' It might be gathered from these words that the fleet was ordered to spread itself out in a thin line to intercept Tromp whichever way he came, but this is contradicted by the fact that the whole fleet was off Portland on the morning of the 18th. Blake is not responsible for the form in which this narrative is found in the joint despatch, as he was severely wounded in the battle.

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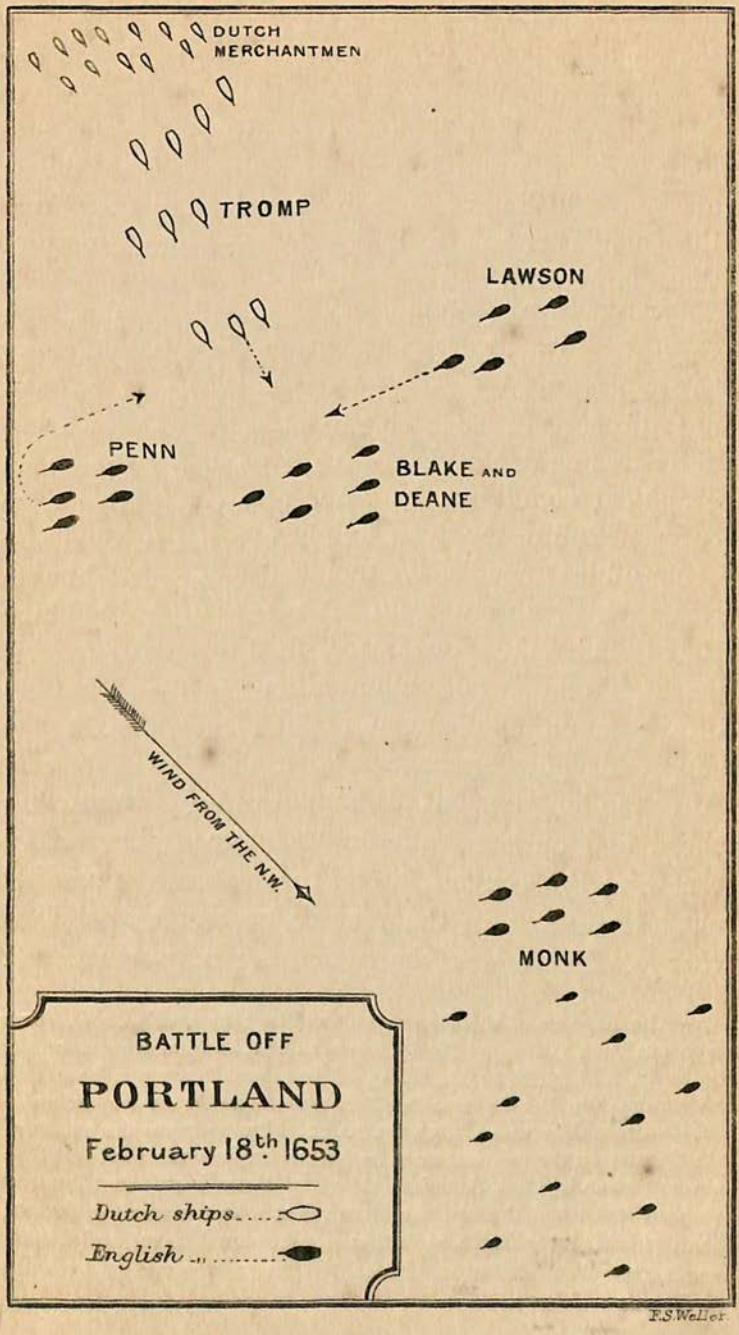
The English fleet scattered.

when he approached the coast. After daybreak the English fleet, close-hauled on the starboard tack off Portland, caught sight of the Dutch fleet running up Channel on the landward side. The sight was the more alarming as, in the night, Blake's fleet had lost all cohesion. Blake and Deane, who were together in the 'Triumph,' had round them a little knot of ships belonging to the Red Squadron, a few more of the same squadron being with Lawson about a mile off on the starboard quarter, whilst Penn in the 'Speaker,' with some portion of the Blue Squadron, was some little distance ahead. Taking them altogether, no more than twenty sail were within striking distance. Monk with the White Squadron was four miles off to leeward, and with him, or further off still, was the mass of the slower sailing vessels, scattered over the sea and incapable of bringing help to their comrades in distress.

Tromp's attack.

For purposes of immediate battle, Tromp, with seventy ships against twenty, had even more odds in his favour than in the fight off Dungeness. The great Dutch sailor, ranging his convoy behind him, dashed before the wind at the centre of the enemy, where the flag of Blake and Deane waved in the breeze. For a time the battle raged furiously. Blake himself was severely wounded, and the captain of his ship slain. Penn hastily tacking, drove into the thick ranks of the Dutch, who were shortly afterwards assailed by Lawson falling down on them from the eastward. Yet all this did not give equality to the opposing fleets. By degrees the ships to leeward began to come up to the aid of their countrymen. Finally, after a desperate struggle, some English frigates, beating up to windward, assailed the merchantmen under Tromp's protection,


DUTCH MERCHANTMEN
TROMP
LAWSON
PENN
BLAKE AND DEANE
WIND FROM THE N.W.
MONK
BATTLE OFF
PORTLAND
February 18th 1653
Dutch ships
English
F.S.Weller

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and Tromp, terribly weighted by the conditions of his command, was compelled to draw off to their succour.[1] The remainder of the short February day was spent on both sides in repairing damages, and in assisting water-logged and defenceless ships; and on the English side in transferring men from the smaller vessels to make up the complement of those larger and better armed.

Advantages on the English side.

Neither side could as yet claim any definite advantage. The English crews had redressed the balance so heavily weighted against them by the unskilfulness of their commanders. Yet even their heroism might not have availed them, if the geographical conditions had not compelled Tromp to carry with him the dead weight of a convoy. Those geographical conditions, too, had compelled him to remain long absent from his own country. Whilst Blake had taken on board fresh stores since his defeat, Tromp, whose ammunition had been heavily drawn upon at Dungeness, had been unable to supply his powder magazines in the Bay of Biscay. After the long combat his supplies were now running short, and on the 19th he was forced, instead of renewing the conflict, to make for home, spreading out his warships in the rear to protect his precious charge. There was sharp fighting in pursuit, and

Feb. 19. Tromp retreats.

[1] The despatch of the Generals should be compared with Gibson's Notes in Penn's *Mem. of Sir W. Penn*, ii. 614, and his account of the battle in *Add. MSS.* 11,684, fol. 9. Gibson was purser on board the 'Assurance' in Penn's squadron. See also the Dutch despatches in *Hollandsche Mercurius*, 1653, pp. 20, 22. Tromp gives the attack of the frigates on the merchantmen as his reason for withdrawing. The account given by Capt. Saunders (*Mem. of Penn*, i. 478) that Lawson 'tacked and stood through the Dutch fleet with the wind on the larboard side' is inexplicable, as in that case he would have headed eastwards away from the battle. Probably 'Lawson' is written by a slip of the pen for 'Penn.'

1653 Feb. 20. Victory of the English.

two Dutch men-of-war and a few merchantmen fell into the hands of the enemy.

On the morning of the 20th the Dutch fleet, now off Beachy Head, was in a well-nigh hopeless condition. Half their ships were entirely out of powder, and the remainder had none to spare. In spite of Tromp's threats and entreaties, many of the captains, knowing their ships to be incapable of defence, made their escape. Surrounded by some thirty ships[1] which alone were constant to duty, Tromp and his subordinates, De Ruyter, Evertsen, and Floriszoon, exhausted themselves in efforts to beat off the now triumphant enemy. In the evening the English commanders combined in a fierce attack, but only to draw off after an hour's impassioned struggle, fearing that unless they anchored the ebb tide would sweep them back towards the west. Tromp was now under the chalk cliffs to the south of Cape Grisnez, and Monk and Deane, who were virtually in sole charge of the English fleet, were assured by the pilots that Tromp would never weather that headland. They had not counted on the resourceful seamanship of their opponent. Tromp knew that another half-hour's fighting would absolutely exhaust his powder and shot, and, with a skill that was all his own, he performed the feat which had been pronounced impossible. Before the sun rose he had doubled Cape Grisnez and not a Dutch sail remained in sight.[2]

[1] Tromp says from twenty-five to thirty; the English say thirty-five.

[2] See for references, p. 160, note 1. The despatch of the three Generals is signed by Blake in a shaky hand, but must have been drawn up by the other two. For Tromp's statement that he would have been out of ammunition in half an hour, omitted in his printed despatch, see De Jonge's *Geschiedenis van het Nederlandsche Zeewesen* (ed. 1858), i. 453, note 1.

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Causes of the defeat of the Dutch.

The victory lay with the English, but it was a victory which they owed to the circumstances under which they fought, and not to the skill of their commanders. The honours of that heroic struggle lay with Tromp, whose magnificent seamanship and undaunted courage might have availed to bind victory to the flag of the Republic if the permanent conditions of the strife had been more equal. Unless they could change the positions of land and water, Dutch commerce would always need the protection of a strong fleet as it passed to the Atlantic, and that fleet would always be exposed to fight at a disadvantage when hampered by a convoy. At Dungeness Tromp had shown that he understood as well as any modern commentator that there was everything to gain by the destruction of the enemy's war-fleet, apart from the defence of commerce. The conditions under which the Dutch Republic existed did not permit a repetition of the experiment. In the first place, the naval tactics of the day did not readily lend themselves to the destruction of a fleet, unless when, as in the case of the Armada in 1588, and of Oquendo in 1639, it was decidedly inferior in fighting qualities. In the second place, the Dutch, depending as they did upon commerce for their very subsistence, were compelled to impose the defence of that commerce upon their admirals as their first duty—a duty which, as the trade route passed through a narrow channel open to easy attack, it was peculiarly difficult to perform. It was the result of the battle which began off Portland and ended off Cape Grisnez, that the command of that channel had passed into the hands of the English. The end of the war might not be yet, but, whenever it came, the decision could hardly fail to be in

favour of the masters of the main line of communication between the Netherlands and the outer world.[1]

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[1] "In allen geval als Engelandt aen Hollandt het Canael konde onbruckelijck maeken, soe wast met de Hollandsche Negotie gedaen, ende soude haer equipagie ten Oorlogh meer ende meer verslappen." *Aitzema*, iii. 803.

CHAPTER XXIV.

THE ARMY PETITION.

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Ill-feeling between army and Parliament.

THE growing impatience with which the army regarded the proceedings of Parliament was not to be accounted for merely by a difference of opinion on the subject of the Dutch war. One influential officer indeed appears to have been actuated to a great extent by personal motives. After Cromwell, no soldier bore so high a reputation for military ability as Lambert. As long ago as on January 30, 1652, he had been nominated by Parliament as Lord Deputy of Ireland in succession to Ireton.[1] He accordingly returned from Scotland, where he had been serving as major-general, and put himself to some expense in preparing for his new office. About three months later, a question was raised in Parliament whether it would be expedient to renew Cromwell's lord lieutenancy of Ireland,[2] which, having been conferred on him for three years in 1649, would expire on June 23. The expenses of fitting out Blake's fleet were at that time weighing on the House, and, on May 19, in a fit of economy, encouraged perhaps

Jan. 30. Lambert appointed Lord Deputy.

[1] *C.J.* vii. 79.

[2] "Pare che siano ancora attorno per allegerirsi di molte cariche di spesa et particolarmente di quella del generalato d'Irlanda goduto dal Generale Cromuel con venti mila scudi l' anno di stipendio, et forse anche dell' altra del Vice Rè, da essere per l' avvenire maneggiate da Commissarii Parlamentari. Il che se faranno, sarà segno assai mani-

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by resentment felt against Cromwell for his opposition to the war, Parliament abolished the office.[1] Cromwell, however, had sufficient influence to frustrate a plan for placing the army in Ireland directly under Ludlow and the other Parliamentary Commissioners,[2] and, on June 15, it was resolved that he was himself to retain his supervision over the Irish army;[3] but that, instead of acting through a lord deputy, he was to appoint a subordinate commander of the forces, whose pay and position were to be inferior to Ireton's. Lambert having refused to leave England on such terms, Cromwell assigned the appointment to Fleetwood,[4] who had recently become his son-in-law by a marriage with Ireton's widow.

May 19. The lord lieutenantship abolished.

June 15. Cromwell to appoint a commander of the forces in Ireland.

July 9. Fleetwood appointed.

It was seldom Cromwell's habit to adduce evidence of his personal integrity. This time, however, he placed on record the fact that no pecuniary advantage had accrued to him from an office which had been a sinecure since he left Ireland in 1650. He informed the Council that he had remitted the whole of the lord lieutenant's salary, 8,000*l.* a year, to Ireton, but that since Ireton's death he had ceased to draw a penny of it. Of the arrears thus strictly owing to him, 2,000*l.* were at his own request paid to Lambert to meet the expenses incurred in preparing for his removal to Ireland, the remainder being absolutely remitted to the Commonwealth.[5] Lambert

Cromwell remits his arrears to the State.

Aug. 5 Part of them paid to Lambert.

festo che il General Cromuel comincia a declinare di autorità et del fausto popolare che soleva havere, et se io dicessi che i medesimi del Parlamento sono divisi et predominati da interessi particolari non mi discosterei molto della verità." Salvetti to Gondi, May $\frac{21}{31}$, *Add. MSS.* 27,962 N. fol. 359.

[1] *C.J.* vii. 79. [2] See p. 48. [3] *C.J.* vii. 142. [4] *Ib.* vii. 152.

[5] C. of St. to the late Treasurers-at-war, Aug. 5, *S. P. Dom* xxiv. 93, a. After paying 2,000*l.* to Lambert, and 273*l.* 19*s.* 2*d.* due to

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was less magnanimous. His disappointment at his failure to secure the splendid position in Ireland on which he had set his heart exasperated him against the parliamentary managers, and there is good reason to believe that Cromwell, who did not love them, sympathised with his lieutenant. "Not anything," Cromwell is reported to have said, "troubles me more than to see honest John Lambert so ungratefully treated." [1]

He condoles with Lambert.

The majority of the officers dissatisfied on public grounds.

The vast majority of the malcontents were, however, moved by no considerations of self-interest. They regretted the neglect into which the reforms pushed forward during the early part of the year had now fallen, and, connecting this with the outbreak of the war, which they attributed to the interested motives of members of Parliament, they were eager for a dissolution of the House as likely to bring with it both peace and reform. It is true that in May the

The army calls for a dissolution.

Ireton for a fraction of a month, there remained 2,865*l.* 15*s.* 3*d.*, which was the amount remitted by Cromwell.

[1] This was told by Lambert himself in 1659 (*Thurloe*, vii. 660), and is probably true if, as is alleged, the words were spoken in his hearing. The rest of Lambert's story, that Cromwell had already put up Vane and Hazlerigg to refuse to send him to Ireland in order to gain credit with Lambert by compassionating him, is too involved to have been true as it stands. It does not even fit into the situation. Parliament did not refuse to send Lambert to Ireland, except indirectly, by abolishing Cromwell's lord lieutenantship. Still, as Lambert was on good terms in 1659 with Vane and Hazlerigg, he doubtless heard the tale from them; and it may therefore be concluded that there was some truth at the foundation of it. Can it be that Cromwell assured Vane and Hazlerigg that he willingly consented to the vote of May 19, by which his own office was abolished? He may very well have done so, and yet have regretted that the result of that vote inflicted injury on Lambert. Mrs. Hutchinson's story that Lambert's wife, at the time when her husband still held the appointment of lord deputy, arrogantly claimed precedence over Ireton's widow, and that Fleetwood won her by condoling with her on the occasion, may be true. Fleetwood's marriage took place on June 8, as appears from a newsletter of June 12 in the *Clarke MSS.*

House had itself broken through the compromise of the preceding November by appointing certain days on which a Grand Committee should sit to fix a time for a dissolution,[1] but either disinclination or pressure of business had cut short this effort, and after May 26 the Committee ceased to meet. On August 2 the officers, losing patience, held a meeting which lasted from nine in the morning till six at night and resulted in a petition to which most of those present affixed their signatures.[2]

Aug. 2. An army petition drawn up.

The demands now formulated by the army were tolerably extensive. They asked that the Gospel might be propagated and its ministers supported otherwise than by tithe; that the resolutions of the Committee on law should be taken into consideration; that profane and scandalous persons should be expelled from places of authority, making room for 'men of truth, fearing God and hating covetousness;' that county-committees should be appointed to redress grievances arising out of the collection of excise; that the debts of the Commonwealth should be satisfied before private persons received anything from the public revenue; that soldiers should be paid their arrears; that promises made to Royalists by articles of war should be fulfilled; that the revenue should be brought into a single treasury, and a balance-sheet published; that a Committee, on which no member of Parliament should have a seat, might be appointed to report on monopolies, pluralities, and exorbitant salaries; that vagabonds might be suppressed and work found for the poor, whilst

Demands of the army.

[1] See p. 114.

[2] Newsletter, Aug. 3, quoted from the *Clarke MSS.* in Mr. Firth's edition of *Ludlow*, i. 348. Clarke himself was unfortunately absent in Scotland, so that we have no reports from him of these important meetings.

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the restrictions placed on employment by corporations were to be relaxed in favour of deserving soldiers. Finally, as if distrusting the good will of the existing Parliament to carry out this extensive programme, the petitioners asked 'that a new representative be forthwith elected.'[1]

Cromwell stands aloof.

Cromwell's signature was not to be found amongst those appended to the petition.[2] It is probable that his disapproval centred on the demand for an immediate dissolution. At all events it was this clause

Aug. 12. The petition amended.

which, before the petition was finally agreed on, was altered to a request that 'for public satisfaction of the good people of this land, speedy consideration may be had of such qualification for future and successive Parliaments as' might secure 'the election only of such as are pious and faithful in the interests of the Commonwealth to sit and serve as members in the said Parliament.'[3]

Cromwell as a mediator.

In procuring this alteration Cromwell once more assumed the position of a mediator between parties. In so doing he left entirely out of account those few who advocated a government by the representatives of the nation freely chosen, regardless whether the result was favourable to their own political principles or

[1] The petition as finally presented is to be found in *A Perfect Account*, E, 674, 4. The original form of the last clause as given above is from *A Declaration of the Army*, E, 673, 13.

[2] "Il Generale Cromuel non ha voluto sottoscrivere." Pauluzzi to Morosini, May $\frac{5}{15}$, *Letter Book R.O.*

[3] That Cromwell did not condemn the presentation of a petition by the army is clear from Whitelocke. "In discoursing with Cromwell," he writes, "I advised him to stop this way of their petitioning by the officers of the army with swords in their hands, lest in time it might come home to himself; but he seemed to slight, or rather, to have some design by it, in order to which he put them to prepare a way for him." *Whitelocke*, 541. Ludlow's account, as Mr. Firth observes (*Ludlow*, i. 348, note 1), 'is very confused,' but it becomes more intelligible if what he says of Cromwell's opposition is referred to the earlier and not to the later form of the last clause.

not. He had, on the one hand, to do with the members of the existing Parliament who, in order to secure the predominance of their principles and their own continuance in power, had already declared for partial elections, and were likely to do so again. On the other hand, he had to deal with those who, like Harrison, distrusted popular elections altogether, and were anxious to confine the government to right-thinking persons selected from 'the godly party.' Cromwell's clause as amended provided for a general, as opposed to a partial election, and at the same time proposed to fill Parliament with 'well-affected' persons, not by converting it into a merely selected body, but by the imposition of qualifications such as had been already suggested in the *Agreement of the People*, in order to direct the choice of the constituencies into the right channel.

Nature of the compromise proposed by him.

Both by character and position Cromwell was well qualified to act as mediator. "He is a man," wrote an observer who at least echoed the popular conception, "of great foresight, of a lofty spirit, and capable whatever happens of parrying blows directed against himself, and of retaining the affection and esteem of both parties, and, in fine, of preserving the independence of the authority which he exercises, disposing at his free will of all military offices, and influencing all by the modesty of his life, in which there is no display or magnificence. At present—it was otherwise formerly—he is applauded, but not loved by all; his riches, or, to speak more correctly, his treasures, increase daily through his conduct, and he thereby looks to maintain himself in augmented authority and power."[1]

Cromwell's fitness for the office of mediator.

The petition, amended on August 12, was pre-

[1] Pauluzzi to Morosini, Aug. $\frac{5}{15}$, *Letter Book R.O.*

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Aug. 13. The petition presented.

Sept. 14. Report of a committee on it.

The Bill for Elections referred to a select committee.

sented to Parliament on the 13th, and at once referred to a select committee.[1] On September 14 the Committee reported that, in order to the more speedy passing of the Bill on Elections, it would be well to take it out of the hands of the Grand Committee to which it had been referred in May,[2] and to request the advice of a select committee composed of a small number of members. The House at once accepted the proposal, but ordered that the select committee should be identical with the Committee which had just reported, and also that a blank should be left for the insertion of the date of dissolution.[3] The compromise of November 1651 was thus definitely abandoned by Parliament itself.

Cromwell a member of the committee, from which Vane is excluded.

It was significant of approaching change, that whilst Cromwell's name appears on the list of this Committee, that of Vane was omitted. Vane may have objected to legislate under pressure from the army, but a more probable conjecture is, that he was excluded because he had attached himself to the scheme of partial elections in favour of which he had reported in January 1650.[4] The paths of Cromwell and Vane, so long united, were at length beginning to diverge.

Oct. 1. A committee for the Treasury.

Oct. 8. The propagation of the Gospel.

On some of the reforms suggested in the petition, there was at least a show of progress. On October 1, 'the distracted state of the Treasury' was taken into consideration, and a committee, formerly appointed to provide a remedy for the evils complained of, was revived.[5] A week later the Committee on the

[1] *C.J.* vii. 164. It was presented by six officers—Whalley, Hacker, Barkstead, Okey, Goffe, and Worsley—all of whom, except Okey, supported Cromwell during the Protectorate. *Merc. Pol.* E, 674, 6.

[2] See p. 114.

[3] *C.J.* vii. 178.

[4] See vol. i. p. 271.

[5] *C.J.* vii. 188.

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Propagation of the Gospel was recalled to life.[1] On the 12th, an Act for setting the poor to work received a second reading. The passing of an Act disqualifying delinquents from office as well as from taking part in the election of officials,[2] may perhaps be regarded as an indication of a wish to apply qualifications to parliamentary elections as well; if so, there was no sign of any desire to take up the larger subject. The Committee appointed to consider the Bill for establishing a new Parliament made no report.

Oct. 12. The poor to be found work: Delinquents disqualified from office.

Cromwell did his best to bring the parties to an understanding. At his instigation it was agreed that meetings should take place between the leading members of Parliament and the principal officers. "I believe," he afterwards averred, "we had at least ten or twelve meetings, most humbly begging and beseeching of them that by their own means they would bring forth those good things which had been promised and expected; that so it might appear they did not do them by any suggestion from the army, but from their own ingenuity: so tender were we to preserve them in the reputation of the people."

Oct. Meetings of officers and members of Parliament.

This tenderness of the army, however, did not involve admiration of the existing parliamentary system. The dissatisfaction of Cromwell and his brother officers was not solely based on the Parliament's neglect of reforms, nor even on its hesitation to name a day for the dissolution. They did but share the widely spread belief, that important matters of public interest were decided by private cliques. "How hard and difficult a matter was it," Cromwell complained at a later date, "to get anything carried without making parties, without things unworthy

Cromwell dissatisfied with Parliament.

[1] *C.J.* vii. 190.

[2] *Ib.* vii. 192.

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of a parliament."[1] It was notorious that many members who had entered the House poor were now rolling in wealth, without having performed any service deserving recognition.

Cromwell in favour of constitutional monarchy.

There can be little doubt that Cromwell was still hankering after that 'settlement, of somewhat with monarchical power in it,' which he had favoured ten months before.[2] It was natural to him in seeking for a check upon a self-seeking parliamentary majority to hark back upon so much of the old institutions of the country as it was possible to revive. There is therefore no reason to distrust the rumour which credited him with recurring[3] in September to the design of raising the young Duke of Gloucester to the throne,[4] and of making himself Protector under the nominal headship of the lad.

Sept. He proposes to make the Duke of Gloucester king.

That the suggestion was soon perceived to be impracticable may be readily believed. As week after

[1] *Carlyle*, Speech I. A pamphleteer, writing in Cromwell's interest after the dissolution, gives the following account of the state of affairs: "Besides that, the House being by the last purge made thin . . . there was an opportunity given them to become so familiar with one another, that what by their ordinary at Whitehall, and what by their conferences at the Speaker's chamber before the sittings of the House, little was determined but out of design and faction: oppositions and conjunctions were laid, private interests intervened—and these commonly by way of exchange—needless things mightily insisted upon, whilst thousands of poor creditors and petitioners starved at their door with their printed papers unheard, unregarded, unless a crafty solicitor had undertaken—for it is a term I hear as common as practice among lawyers—to make some members, and this with such success as commonly taught them what it was to trust" (*A letter written to a gentleman in the Country*, E, 697, 2). Thomason ascribes this to Milton, and Prof. Masson supports him. The real author, however, was, as Mr. Firth pointed out to me, John Hall. See News from London, $\frac{\text{May } 27}{\text{June } 6}$, 1653, *Clarendon MSS.* ii. No. 1,185. An account of a cheating committee will be found in *A Caution to the Parliament*, E, 712, 6.

[2] See p. 2.

[3] *Great Civil War*, iii. 130; iv. 168.

[4] *Nicholas Papers*, i. 310.

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week passed away without producing a solution of the difficulties of a situation well-nigh intolerable, Cromwell's dissatisfaction rapidly increased. In November it vented itself in a long conversation with Whitelocke—a fair representative of the well-meaning but somewhat stolid portion of the prosperous classes, whose inertia every statesman in his heart despises. Cromwell now spoke of the distraction in the counsels of the Commonwealth, of the danger of being fooled out of the mercies of God 'by our particular jarrings and animosities one against another.' Whitelocke agreed with him as to the danger, but thought it proceeded rather from the ambition of the officers and the mutinous spirit of the soldiers. To this Cromwell, protesting that he was well able to restrain mutiny, replied by turning the conversation to the misconduct of civilians. "As for members of Parliament," he said, "the army begins to have a strange distaste against them, and I wish there were not too much cause for it; and really their pride and ambition and self-seeking, ingrossing all places of honour and profit to themselves and their friends, and their daily breaking forth into new and violent parties and factions; their delay of business and design to perpetuate themselves, and to continue the power in their own hands; their meddling in private matters between party and party, contrary to the institution of Parliament, and their injustice and partiality in those matters, and the scandalous lives of some of the chief of them;[1] these things, my lord, do give much ground for people to open their mouths against them and to dislike them, nor can they be kept within the bounds of justice and law or reason, they themselves being the supreme power of the nation, liable

Nov. Cromwell's conversation with Whitelocke.

His indictment against Parliament.

[1] Henry Marten, no doubt, was one of those aimed at.

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to no account to any, nor to be controlled or regulated by any other power; there being none superior or co-ordinate with them."

He looks for a remedy.

It was a grave indictment and one reaching far beyond the personal delinquencies of the men at whom it was aimed. "Unless," continued Cromwell, "there be some authority and power so full and so high as to restrain and keep things in better order, and that may be a check to these exorbitances, it will be impossible in human reason to prevent our ruin."

Cromwell and Hobbes.

Cromwell, it would seem, sympathised with Hobbes' belief in the dangers of an unchecked executive Parliament, though he took no interest in his speculative doctrine on State sovereignty. So anomalous was the position of the existing Parliament that Whitelocke could do little but express a hope that the majority of its members would, when it came to the point, be better advised. Cromwell promptly replied that there was no hope for these men, and that 'some course must be thought of to curb and restrain them, or we shall be ruined by them.' "We ourselves," pleaded Whitelocke, with his eyes fixed on the constitutional difficulty, "have acknowledged them the supreme power and taken our commissions and authority in the highest concernments from them, and how to restrain and curb them after this, it will be hard to find out a way for it." Constitutional objections only served to irritate Cromwell. "What," he asked with a sudden outburst,[1] "if a man should take upon him to be King?"

A constitutional discussion.

A startling proposal.

[1] In Lord Bute's MSS., where the story is told in the third person, the sudden flash of the words is noted. In 1648 Major Huntington represented Cromwell as having said: "What a sway Stapleton and Holles had heretofore in the kingdom; and he knew nothing to the

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Whitelocke's objections.

Whitelocke would not have been the imperturbable lawyer that he was if he had failed to meet this startling question with grave objections. The title, he urged, would be of little advantage to Cromwell himself. What was more to the purpose was that the Civil War had been waged to establish a free State, and that the oppressions of the late monarchy were too fresh in men's memories to enable them readily to acknowledge a new one. Besides, if Cromwell became king, the controversy would no more be 'whether our government shall be by a monarch or by a free State, but whether Cromwell or Stuart shall be our king and monarch.' The objections were of no slight weight, as Cromwell was one day to know to his cost, but they hardly met the problem of the moment. Pressed for a solution of his own, Whitelocke expressed his preference for a restoration of Charles II. under conditions. No wonder that Cromwell did not find the remedy palatable, and that Whitelocke had to complain that for some time the Lord General showed himself 'by his countenance and carriage displeased' with his plain speaking.[1]

He proposes to recall Charles II.

Cromwell's reception of the idea.

contrary but that he was as well able to govern the kingdom as either of them." Huntington's *Sundry Reasons*, E, 458, 3.

[1] *Whitelocke*, 548–551. Without relying upon the accuracy of every word, I accept the report as substantially correct, and probably founded on notes taken at the time. To invent it would require dramatic powers which Whitelocke never showed any sign of possessing. Even the passage about the recall of Charles Stuart, which has been most suspected, contains touches such as: "This prince being now . . . reduced to a very low condition," and "he and all about him cannot but be very inclinable to any terms," which would hardly have been inserted after the Restoration, when we should rather expect some flourish about loyalty. There is, in fact, not a single phrase in any way flattering to Charles. Moreover, the time to which the conversation is assigned is most appropriate, being that when the conferences which begun in October showed no sign of producing a satisfactory result.

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Yet there are reasons for thinking that Cromwell perceived the many difficulties lying in the way of that heroic remedy which he had startlingly enunciated, and that Whitelocke's objections drove him to a more patient endeavour to heal the breaches of the Commonwealth by less drastic measures.[1]

Dec A lull in the political strife.

Whatever may have been Cromwell's intentions, all thought of an immediate solution of the political problem was necessarily postponed during the turmoil of warlike preparation consequent upon Blake's defeat off Dungeness. It was perhaps, however, not without reference to the design of crowning the Duke of Gloucester attributed to Cromwell, that on December 7, Parliament directed that the young Prince should be sent to the Continent, on the shallow pretext that, with Tromp ranging the Channel, it was impossible to answer for his safeguarding at Carisbrooke.[2] On February 11 the vessel conveying him sailed from Cowes for Flanders.[3]

Dec. 7. The Duke of Gloucester to be sent to the Continent.

1653 Feb. 11. He sails from Cowes.

Jan. Prayer-meetings in the army and in the City.

Long before this date the Council of Officers had renewed its activity. Though in presence of imminent danger the officers had refrained from political action, they had devoted every day in the first week of January to prayer and preaching,[4] an ominous sign of political discontent. At Allhallows the Great,

[1] "Then, says the General," we are told in a newsletter of March 18, 1653, "the Parliament is not the supreme power, but that is the supreme power that calls it" (*Clarendon MSS.* ii. No. 1,056). As Cromwell was then withstanding the persuasions of those who wished him to dissolve Parliament forcibly, this echo of Whitelocke's language is noteworthy.

[2] C. of St. Order Book, *Interr.* I, 68, p. 34; *C.J.* vii. 226. In his despatch of $\frac{\text{Feb. 22}}{\text{March 8}}$, Bordeaux mentions that Cromwell had opposed a design to make the Duke king, but only to express his disbelief in its correctness. *Arch. des Aff. Étrangères*, xix. fol. 174.

[3] Sydenham to the C. of State, Feb. 12, *S. P. Dom.* xxxiii. 41.

[4] Bordeaux to Brienne, Jan. $\frac{6}{16}$, *Arch. des Aff. Étrangères*, lxii. fol. 27.

in Thames Street, some soldiers openly prayed for a new representative, and though the Government, apparently with Cromwell's support, put them to silence,[1] it was unable to hinder the spread of disaffection. Already, on January 6, Parliament, in alarm at that disaffection, had directed Harrison to take charge of the Act 'touching an equal representative,' and to see that the same be brought in with speed.[2] The substitution of Harrison, the most uncompromising opponent of the sitting Parliament, for Vane, the advocate of a mere filling up of vacant seats, was significant of the disinclination of the members to act in defiance of the army.

Jan. 6. Harrison to take care of the Act of Elections.

There can be little doubt that this resolution was supported by Cromwell. Whenever we catch a glimpse of his proceedings we find him working for a dissolution to be attained by an understanding between Parliament and army, rather than by revolutionary action. On the 13th a committee, appointed by the officers on the 8th, had an interview with the Council of State resulting in a general agreement that a new Parliament should be chosen.[3] Yet a feeling appears to have prevailed amongst the officers that the parliamentary scheme might not be altogether consonant with their desires, and on the 28th, after long consultation, they issued a circular letter to the regiments quartered in the three countries, asking for their support in the work before

Attitude of Cromwell.

Jan. 13. Agreement that there shall be a new representative.

[1] Pauluzzi to Morosini, Jan. $\frac{6}{16}$, *Letter Book R.O.* Pauluzzi speaks of the ministers as Presbyterians, but Italians cannot always be relied on to distinguish between English sects. Erbury, in *The Bishop of London* (E, 684, 26), says that 'some army-preaching men joined in a body at Great Allhallows to pray for a new representative, and to preach somewhat against the old, for which they received no countenance, but rather a check from the State and some highest in the army.'

[2] *C.J.* vii. 244.

[3] Pauluzzi to Morosini, Jan. $\frac{14}{24}$, *Letter Book R.O.*

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them. Parliament was to be confronted not, as at the time of the presentation of the petition of August 13,[1] with the officers of the higher grades, but with the army as a whole.

Jan. 28. A circular to the army.

Revolutionary as was the attitude of the officers, their demands were singularly moderate. After a religious exordium, they begged their fellow-soldiers to stand by them in insisting upon four points—the establishment of 'successive Parliaments consisting of men faithful to the interest of the Commonwealth, men of truth, fearing God and hating covetousness;' the reform of the law; liberty of conscience without encouragement 'to such as are popish or profane in the exercise of their superstitious forms and licentious practices;'[2] lastly, the assurance of 'due countenance and encouragement to those who faithfully dispensed the Gospel.' These things, the officers declared, had 'been promised by Parliament, and, as we are informed, are under their present consideration.' In these phrases we can hardly fail to recognise the moderating influence of Cromwell.[3]

Demands of the officers.

Some even of those who looked for more drastic reforms were at one with Cromwell in protesting against the use of violence. A petition laid before the officers asked that judges might be replaced by local juries, that tithes might not be enforced or the goods of capital offenders forfeited. The petitioners also asked for the abolition of the penalty of death for theft, for freedom of trade with a leaning to the substitution of direct for indirect taxation, for absolute liberty of religion, and for the prompt election

A more sweeping petition.

[1] See p. 167.

[2] Nothing is said about prelacy.

[3] Letter from the officers, Jan. 28, *Merc. Pol.* E, 686, 12. On the 21st 'a paper of advice was endeavoured to be presented to them from several of the churches in London, but it was not received.' Clarke Newsletters, *Hist. Rev.* July 1893, p. 527.

of an annual Parliament without any qualifications. These things they declared, in language redolent of Lilburne, were already established by the fundamental law of the land on which no Parliament was entitled to infringe. Yet, strong as their remedies were, they disclaimed all thought of compulsion. "Nor," they said, "would we for anything in the world that Parliaments should be accustomed to be forced, nothing being of more dangerous consequence to government itself." [1]

For a few weeks Parliament gave the officers ground to suppose that their counsels would be followed. For two days, January 20 and 21, the House listened to the reading of a 'system of law' as proposed by the Committee on law reform.[2] After that a few legal Bills were brought in and considered, be-

Jan. 20, 21. Proposed law reforms.

[1] *The only right rule for regulating the laws and liberties of the people of England, presented by way of advice to . . . the L. General Cromwell and the rest of the officers of the army, January* 28, 1652, *by divers affectionate persons to Parliament, army, and Commonwealth, inhabitants of the Cities of London, Westminster, Borough of Southwark, and places adjacent*, E, 684, 33. This, from the title as well as from the contents, is clearly a production of the Levellers. The most curious passage is the one relating to free trade: "All monopolies at home and all restraint of trade abroad to distinct companies of men are all opposite to the ancient rights of the people, and may justly be reduced to a universal freedom to every Englishman, which will make trade in time to flourish, and wealth and plenty of all necessaries to abound, especially if the way of raising money by custom and excise were laid aside, being utterly destructive to trade, and rendering the lives of tradesmen tedious and irksome to them, and hath no consistence with fundamental right; for, according to that rule, no imposition ought to be laid upon any trade, but what moneys are at any time found needful by Parliament ought to be levied by way of subsidy or an equal proportion on all men's estates, real and personal, in which course the whole within twopence or threepence in the pound is brought into the public treasury, whereas, the other way, vast sums go to the maintenance of officers. So, as you perceive, in this and all other particulars hitherto recited, the most ancient right is not only due, but most for the good and ease of the people."

[2] *C.J.* vii. 250.

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Feb. 11. The proposals of the Committee for the propagation of the Gospel.

sides one which hopefully faced the ever-recurring difficulty of setting the poor at work. On February 11, the proposals which had been some months before the Committee for the Propagation of the Gospel[1] were at last read in the House. It now appeared that the Committee had been less anxious than Owen and his brother ministers to employ compulsion in matters of religion, and that besides omitting the provision for the suppression of judicial astrology, they had declined to require that persons dissenting from the established forms of worship should give notice to the magistrate of their place of meeting, or to refuse permission to persons opposing the Christian religion to preach or promulgate their opinions.[2] On the 23rd, amendments to the Bill for future Parliaments were reported by order of the House, and March 2 was appointed for their consideration.[3] During March the House employed itself from time to time upon the Bill, but as it only took up the subject five times in the course of the month,[4] it is evident that the members were not greatly in earnest. Is it not possible that a sense of renewed security after the victory in the Channel had something to do with this remissness in a matter in which the army was so deeply concerned?

Feb. 23. The Election Bill to be taken up.

Feb. Parties in the army.

The Council of Officers moreover was not at unity within itself. The clause in the circular letter asking

[1] See p. 28.

[2] *C.J.* vii. 258. It had been resolved by the Committee that these clauses should not be reported. It does not perhaps follow that the majority of the Committee was opposed to these clauses. They may have thought it inexpedient to mix up points of difference with a proposal for the extension of liberty. However this may have been, the House insisted on hearing what the rejected clauses were, and they were consequently produced before it.

[3] *Ib.* vii. 259, 261.

[4] On March 2, 9, 16, 23, and 30—that is to say, once a week. *Ib.* vii. 263, 265, 268, 270, 273.

for a new representative composed of men fearing God and hating covetousness,[1] may be taken as a compromise between two opposed opinions springing from two tendencies of the Puritan revolution. Lambert, on the one hand, represented the demand for parliamentary government, and would probably have been content with the election of a new Parliament guarded by some guarantees against the return of Royalist members; whilst Harrison, now drifting into the ranks of the Fifth-Monarchy men, represented the demand for government by moral and religious men, which no less than the former was inherent in the ideas which had led to the uprising against Charles. It was the impossibility of reconciling these two views which ultimately wrecked the revolution and restored the monarchy. For the present, however, both sections combined in demanding a dissolution, and as Parliament grew slack in the performance of its promises, both urged Cromwell to take the lead in a forcible dissolution. From this Cromwell recoiled with all his soul. "I am pushed on," he said to one of his officers, "by two parties to do that, the consideration of the issue whereof makes my hair to stand on end."[2]

Lambert and Harrison.

Cromwell objects to a forcible dissolution.

[1] See p. 178.

[2] *Ludlow*, ed. Firth, i. 346. I incline to date these words about this time, when the question of a forcible dissolution was reopened. Cromwell's alleged description of the two parties is as follows: "One of these is headed by Major-General Lambert, who, in revenge of that injury the Parliament did him in not permitting him to go into Ireland with a character and conditions suitable to his merit, will be content with nothing less than a dissolution. Of the other Major-General Harrison is the chief, who is an honest man, and aims at good things, yet from the impatience of his spirit will not wait the Lord's leisure, but hurries me on to that which he and all honest men will have cause to repent." It will be seen that this rather describes the men than their aims, so far as these were divergent, and, in fact, Daniel O'Neill, in a report received by Hyde on March 2, and therefore written—as O'Neill was still in England—towards the end of February (*Hist. Rev.* 1893, p. 529) places Harrison and Lambert in

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Cromwell's supporters in Parliament.

Opposed by many of his own officers, Cromwell had to seek for allies in Parliament not only amongst those who, like Vane,[1] had supported him against the Dutch war, but amongst those who, like Scot and Hazlerigg, had been its authors.[2] The combination was the easier as many even of the most warlike were now anxious to bring hostilities to a close, if it could be done on honourable terms. The victory in the Channel had been dearly bought. No less than seven captains had been slain, and the number of seamen killed was reckoned by thousands. On the Dutch side, too, the loss of trade was bitterly resented. John de Witt, a young statesman, not yet thirty

Progress of the secret negotiation.

one party opposed to Cromwell. It will be seen further on that Lambert and Harrison came to differ in the way described above, and there are indications that, as might reasonably be expected, they differed already. A few weeks later, for instance, we hear that a qualification of 200*l.* for members was accepted by Parliament 'to please the army' (Newsletter, April $\frac{1}{11}$, *Clarendon MSS.* ii. No. 1,066). As this reappears in the Instrument of Government in the preparation of which Lambert had had a large part, we may take it that it was granted under his influence, and if so, he must have been working in the direction of an elected Parliament. Again, Daniel O'Neill, in the report just quoted, says that the circular letter to the regiments sent on Jan. 28 asked for 'the settlement of the civil government in the hands of a number of people, in whose hands it should continue but such a certain time as the people agree upon.' As nothing of the kind is to be found in the letter, I conclude that O'Neill had intelligence of Harrison's own scheme, which is very like that which he afterwards advocated. In short, Harrison was the parent of the so-called Barebones' Parliament; Lambert of the First Protectorate Parliament.

[1] Vane had been one of the supporters of Hugh Peters's correspondence with the Dutch.

[2] O'Neill, in the report just quoted, gives Cromwell's supporters as 'Haslerigg, St. John, Vanes both, Lisle the Lord of Seal' (*i.e.* the Lord Commissioner of the Great Seal), Allen, Scott, Carew, Cawley, Salway, Stricklands both, and many others.' Harrison's party are given as 'Colonel Rich, Westrow, Purefoy, Millington, Hutchinson.' If this last name be correctly given, what becomes of Mrs. Hutchinson's account of her husband's attitude? Amongst the officers Cromwell's supporters were 'Whalley, Barkstead, Goffe, &c.;' Harrison's, 'Lambert, Rich, Pride, &c.'

years of age, had appeared in the Provincial States of Holland as a warm advocate of peace. It resulted that the negotiation which had made no way in the hands of Peters and Gerbier, had fallen into those of Sir Robert Stone and Lieutenant-Colonel Dolman, officers in the Dutch service, of whom the former was in Holland, and the latter in England.[1] As early as in January, some time before Tromp's defeat, a secret committee of the States of Holland despatched a letter to England, but there was an informality in its direction, and by Dolman's advice it was not delivered. Conjecturing that another letter would soon follow, Cromwell and Vane, on March 10, carried a motion for adjourning a debate which had been opened on the relations with the Dutch Republic,[2] and on the 22nd, the day to which the debate had been ultimately adjourned, the Speaker was able to acquaint the House that he had received a letter addressed in due form by the States of Holland themselves, proposing to open a negotiation. Such a letter, written in defiance of all constitutional rule without consultation with the other six States, was the strongest possible evidence of the anxiety of the Hollanders to bring the war to an end. The hand thus held out was accepted, and on April 1 Parliament replied in favourable terms, laying stress on the common Protestantism of the two peoples, and offering to resume the negotiation at the point at which it had been dropped by Pauw.[3]

Jan. A missive from Holland.

March 10. A discussion adjourned.

March 22. A letter received from the States of Holland.

April. 1. The Parliament's answer.

The reply of Parliament was a triumph for Crom-

[1] *Nicholas Papers*, ii. 1, 2.

[2] Hazlerigg was one of the tellers for proceeding with the debate, so that he cannot be counted as working with Cromwell on the negotiation with the Dutch. *C.J.* vii. 265, 266.

[3] *Geddes*, i. 282, 291; The States of Holland to Parliament, March $\frac{8}{18}$; Parliament to the States of Holland, April $\frac{1}{11}$, *Aitzema*, iii. 804; *C.J.* vii. 220; De Witt to van Beuninghen, March $\frac{14}{24}$, *Brieven*, v. 97.

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A proposed treaty with Spain.

well, and it is not unlikely that his hand is also to be detected in the course which the negotiation with Spain was taking. About the end of November,[1] Parliament had placed in the hands of Cardenas the draft of a commercial treaty, which it proposed to substitute for the one presented by him in September.[2] Of the proposed articles one was intended to enlarge the limited toleration accorded to Protestant Englishmen in the Spanish dominions by the treaty with Charles I. in 1630. Instead of engaging that Englishmen should be freed from the interference of the Inquisition as long as they gave no scandal, Philip was asked to promise 'that it should be lawful and permitted to that people either in their own houses, or in those of Englishmen residing in Spain, or in their shops, to serve God and to comply with all the obligations of religion according to their conscience, and also to be able to use their Bibles or any other books without being molested or hindered in any manner, either by the Inquisition, or its ministers, or by any other judges; and that neither any person nor the estate of any one of the said nation could be sequestrated by the ministers of the said Inquisition.' In another article the King was required to promise 'that there should be appointed decent places for the burial of citizens of the aforesaid Commonwealth who might die in any of the dominions of the King of Spain.'[3]

Question of toleration for English Protestants.

[1] Cardenas to Philip IV., Dec. $\frac{21}{31}$, where the ambassador mentions that he had written on the subject on Dec. $\frac{3}{13}$, *Simancas MSS.* 2,528.

[2] See pp. 129, 130.

[3] "Que sea *licito* y permetido al dicho pueblo en sus casas o en las de los Ingleses que residen en España, o en sus navios, el *servir a Dios* y el cumpler con todas las obligaciones de la religion conforme a su consciencia y tambien el poder usar de *sus Biblias o de qualquiera otros libros*, sin que sea molestado o impedido de ninguna manera, ni por la Inquisicion o sus ministros ni por otros jueces, *y que ninguna*

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The proposal to insert these clauses may have been due to Cromwell's inspiration, especially as since the failure of his plan for the acquisition of Dunkirk he seems to have acquiesced in a policy of friendliness towards Spain.[1] On the other hand, it is unlikely that either Cromwell or the parliamentary majority desired to place England unreservedly on the side of that country. By this time France was more openly vying with Spain for the English alliance, and it seems to have been thought by all parties in England that it would be well to make no definite choice, but to allow each of the contending States to be enticed to larger offers by the attitude of the other.

Probable influence of Cromwell in preparing the draft.

In September the intervention of Blake and the consequent loss of Dunkirk[2] seem to have convinced Mazarin of the necessity of coming to terms with the Commonwealth. It is true that the growing strength of the French monarchy might have counselled a more impulsive minister to seek redress by force. On October 11 the young King entered Paris amidst the acclamations of the citizens. Condé indeed maintained his defiant attitude; but by transferring himself and his army to the northern frontier he showed himself in his true colours, as the instrument of Spain. Mazarin was not the man to be carried off his feet by success, and though in

Sept. Effects of the loss of Dunkirk.

Oct. 11. Louis XIV. enters Paris.

persona, ni la hazienda de ninguno del dicho pueblo podra ser sequestrada por los ministros de la dicha Inquisicion. . . . Que si ordenen lugares decentes para enterrar los de el pueblo de esta republica que murieren en qualquiera de los dominios del Rey d'España.' Simancas MSS. 2,528. The words in italics are those to which exception was taken by the Inquisition.

[1] There is no direct evidence of this, but it was certainly the general belief that the assumption of power by Cromwell when he dissolved Parliament in April would be to the advantage of Spain.

[2] See p. 130.

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Mazarin at Sedan.

order that his presence might not dim the popularity of his young master, he had retired to Sedan, he still continued to direct the policy of France. To his passionless intelligence the danger of throwing the first maritime power in Europe into the arms of Spain was too obvious to need discussion; and he lost no time in attempting to lay the foundations of a better understanding between the two countries.

Nov. 22. Dec. 2. Bordeaux ordered to negotiate in England.

On November 22 M. de Bordeaux-Neufville was instructed to betake himself to London, where he was to present a letter containing that recognition of the Commonwealth by the French King which had been so imperiously demanded and so long delayed, and was to ask for an accommodation of existing complaints, the first step being the surrender of the King's ships which had fallen into the hands of Blake.[1] Unluckily Mazarin—or, as is far more likely, the subordinate employed to draw up the letter—could not prevail on himself to make the submission complete. Not only had Bordeaux received no credentials as a minister, but the letter carried by him was addressed in somewhat contemptuous terms to 'les gens du Parlement de la République d'Angleterre.' As might have been expected, Parliament returned it unopened,[2] with the intimation that even if this difficulty were removed the bearer's want of credentials would preclude his reception by Parliament. He would have to be content with an audience before a committee.

His letter insufficiently addressed,

Dec. 14, and rejected by Parliament.

Dec. 21. France acknowledges the Commonwealth.

The blunder about the style was easily rectified. On December 21 Bordeaux presented the letter acknowledging the Commonwealth, with an address which satisfied the most punctilious requirements. Yet week after week passed without his negotiation

[1] Instructions to Bordeaux, $\frac{\text{Nov. 22}}{\text{Dec. 2}}$; Louis XIV. to the Parliament, $\frac{\text{Nov. 22}}{\text{Dec. 2}}$, *Guizot*, i. App. xxii.

[2] *C.J.* vii. 228.

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making serious progress. Nor was Cardenas any better satisfied with the encouragement given to him or to the agents of Condé and Le Daugnon whom he supported. Parties, according to Barrière, were too equally divided to allow of Parliament taking any definite step on either side.[1] It is possible indeed that many influential members were actuated by a cynical motive. Neither France nor Spain, they may have thought, could afford to come to an open rupture with England, and as long as the existing position endured French prizes were likely to be brought into English harbours in excess of the number of English prizes carried to France. Yet other more avowable motives there were for refusing to close with France. It was but natural that English statesmen, now that the restoration of the French monarchy to its old authority was within sight, should ask themselves whether it might not use its powers, as soon as it got its chance, to clear off old scores with England. Nor were the indications favourable to a more trustful view of the situation. The exiled Charles was still the guest of the French King, and his brother James commanded a regiment in his service. It did not escape the notice of the English Government that no attention was paid to its reiterated demands for the surrender of the English prize which had been brought into Nantes by Rupert. When the sympathies of France were so openly declared, it might well be feared that if once the city of Bordeaux were reduced, the monarchical tradition would prevail, and the weight of France would be thrown into the scale of a Stuart restoration.[2]

Slow progress of the negotiation.

Reasons for distrusting France.

Yet to break with France by persisting in a

[1] Barrière to Condé, $\frac{\text{Feb. } 25}{\text{March } 7}$, *Chantilly Transcripts.*

[2] Bordeaux to Brienne, $\frac{\text{Jan. } 27}{\text{Feb. } 6}$, March $\frac{14}{24}$, *R.O. Transcripts.*

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Danger of breaking with France without an understanding with Spain.

refusal even to consider the complaints of her merchants, without security for a good understanding with Spain, was hardly a policy likely to commend itself to any sane politician, and during the first months of 1653 it was becoming doubtful whether any understanding with Spain was in prospect. The Spanish Government had taken alarm at the English demand for toleration, and had referred it to the Inquisition for an opinion on the merits of the scheme. Slow as the Inquisition was to pronounce its judgment, there could hardly be a doubt what its character would be, and in fact it did ultimately visit the clause with a severe condemnation. Meanwhile Cardenas had been directed only to proceed with a more general negotiation for an alliance with England in the case of the Dutch allying themselves with France.[1]

The toleration articles referred to the Inquisition.

Feb. Turn in favour of France.

It was probably the suspicion that Cardenas was growing slack in his negotiation which, about the end of February, roused Parliament to give a more friendly reception to the overtures of the French ambassador. By that time Bordeaux was able to express an opinion that there was in England a general desire to live at peace with all the world, and that Cromwell shared in this desire.[2] On the other hand he had information that the Council of State was now actively discussing arrangements both with Cardenas and with the Count of Peneguiaõ, a Portuguese ambassador who had arrived in the preceding September to take up the negotiation at the point at which it had been left by Guimaraes.[3] By

[1] Points referred to the Inquisition, $\frac{\text{Oct. 28}}{\text{Nov. 4}}$; Notes of Instructions for Cardenas, $\frac{\text{Nov. 30}}{\text{Dec. 10}}$, *Simancas MSS.* 2,528, 2,569.

[2] Bordeaux to Brienne, $\frac{\text{Feb. 28}}{\text{March 10}}$, *R.O. Transcripts.*

[3] Bordeaux to Brienne, March $\frac{4}{14}$, *ib.*

dropping his demand for the restitution of the King's ships, Bordeaux seized the favourable moment and was soon able to explain to his government that he had handed in the articles of the treaty which had been concluded with Charles I., and had good hopes of its renewal. He had on his side the City merchants, most of whom[1] were ready even to abandon all claims for compensation for their losses, if only trade could again be opened as it had been in old days. In a moment of confidence they explained to Bordeaux their reason for renouncing their hope of compensation. If the French King, they said, paid over the money, Parliament would waylay it, and but little, if any, would find its way into the pockets of those to whom it rightfully belonged.[2]

Parliament distrusted.

As far as it is possible to discern the truth, Parliament was at this time desirous of establishing a commercial understanding with both countries, with no intention of embarking on a warlike alliance with either. The policy which had inspired Sexby's mission to Bordeaux, and the policy which had inspired the negotiations for Dunkirk, were alike discarded.

[1] The Levant merchants called for restitution, no doubt because they had suffered most heavily. See Preface.

[2] Bordeaux to Brienne, April $\frac{4}{14}$, *R.O. Transcripts.*

CHAPTER XXV.

THE DISSOLUTION OF THE LONG PARLIAMENT.

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A crisis approaching.

IT was not on foreign affairs that the parliamentary crisis turned. During the weeks in which Cromwell was guiding the House in the direction of peace with the Dutch, fanatical soldiers were preaching the violent expulsion of the members of the existing Parliament, and on March 11 'the Council of Officers at St. James's had resolved to turn them out had not the General and Colonel Desborough interceded,' asking 'them if they destroyed that Parliament what they should call themselves—a State they could not be. They answered that they would call a new Parliament. Then, says the General, the Parliament is not the supreme power, but that is the supreme power that calls it;[1] and, besides, the House is now endeavouring a treaty with Holland—which is the only way that we have left for destroying of the combination of our enemies both at home and beyond sea—and if we destroy them,[2] neither Holland nor any other Prince or State will enter into a treaty with us.'[3]

Cromwell holds back the army from an attack on Parliament.

Cromwell between two parties.

How long could Cromwell hold his ground between two opposing forces? In Parliament, at least, there were many—probably a majority—who

[1] Compare this with Whitelocke's argument, p. 174.

[2] *I.e.* the Parliament.

[3] Newsletter, March 18, *Hist. Rev.* 1893, p. 528.

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resented his dictation in the matter of the Dutch peace. The leaders, if rumour spoke truly, sent for Fairfax and Lambert to consult them on the possibility of dismissing the general from his command. They wanted a commander who would be sure to 'obey their orders, and not give them orders as this one doth.' It may be taken for granted that Fairfax rejected the suggestion. On the 15th, however, Lambert called on Cromwell, who naturally refused to see him. A later effort of Fairfax to visit him, accompanied by Lambert, proved equally unsuccessful. "Bottomless Lambert," was the best phrase that Cromwell had now to bestow on his major-general.[1] So angry was Cromwell at the ingratitude with which his services to Parliament were met, that for a whole month he absented himself from its sittings.[2]

Fairfax and Lambert consulted.

March 15. Cromwell refuses to see them,

and absents himself from Parliament.

Whatever Parliament might resolve about the Dutch war, the necessity of increasing the strength of the navy added to its unpopularity. The old sailors, inured to service, and loyal to the Commonwealth which had interested itself in their welfare,[3] were numerically insufficient for the service demanded of them, and if the advantage gained in the Channel was to be maintained it would be necessary to add new and untried men to their numbers. In the middle of March 1,000 men were pressed, and it was said—no doubt with considerable exaggeration—that not a serviceable man was left behind. The block of the Sound, too, began to tell, and on the 25th

The navy to be increased.

Additional seamen needed.

[1] Newsletter, March $\frac{18}{28}$, $\frac{\text{March } 26}{\text{April } 4}$, *Clarendon MSS.* ii. No. 1,056.

[2] Clarke Newsletters, April 9, 16, *Hist. Rev.*, July 1893, p. 528.

[3] See an instructive note by Mr. Oppenheim, showing the untruth of the statements that the seamen were Royalist in their inclinations, *The Administration of the Royal Navy*, i. 310, note 2.

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Want of stores and of men.

we hear that though a hundred ships would under ordinary circumstances have been ready for sea, so great was the want of pitch, tar, and cordage that fifteen of them would be unfit to leave port. Merchantmen approaching the coast were boarded, and the greater part of their crews carried off. Orders were sent to secure mariners in Jersey, and even in Scotland and Ireland. Able-bodied men fled from the sight of one of the State's ships as they would have done from the plague. In London a raid was made on shore, and landsmen, even gentlemen unused to the sea, were dragged out of their beds and hurried on board ship. With the navy in such a state it was impossible adequately to protect commerce. In April a ship laden with silk worth 10,000*l.* was taken by the French, and another worth 80,000*l.* fell into the hands of the Dutch.[1]

April. Losses at sea.

Such calamities are amongst the ordinary accidents of maritime war. It was of greater importance that the enemy was triumphant in the Mediterranean. In November, indeed, Captain Cox succeeded in cutting out the 'Phœnix'—an English ship which had been previously captured by the Dutch—from the port of Leghorn. The Grand Duke, angered by this outrage on his neutrality, ultimately ordered Badiley, who now commanded both his own and Appleton's squadrons, to restore the 'Phœnix' or to withdraw his ships. The latter alternative was chosen, and, on March 14, Appleton, without waiting for the approach of Badiley, who lay in the offing, attempted to force a passage with six ships against sixteen of the Dutch, but was utterly defeated with the loss of all his force except a single ship. Badiley was at

1652. Nov. Cutting out of the 'Phœnix.'

1653. March 1. The English ordered to leave Leghorn.

March 14. Defeat of Appleton.

[1] Newsletters, March $\frac{18}{28}$, $\frac{\text{March } 25}{\text{April } 4}$, April $\frac{8}{18}$, $\frac{15}{25}$, *Clarendon MSS.* ii. Nos. 1,056, 1,083, 1,096.

too great a distance to render help.[1] For the present, at least, the Levant trade was at the mercy of the Dutch. Merchants in London who had embarked their capital in these ventures were breaking daily after the news had been told.[2]

April. Distress in London.

To the majority of the inhabitants of London the interruption of the coal trade was even more serious. The Dutch, beaten out of the Channel, were resuming activity in the North Sea, and hindered the colliers from sailing. It was even rumoured that the greater part of the Newcastle coal-ships had been taken by De With. The price of coals, which had been 2*l.* a chaldron, now rose to 6*l.*, and they were only to be procured with difficulty even at that price. Cooks' shops were closed for want of fuel. A wag collected a crowd in the streets by shouting 'coal at 3*d.* a bushel,' and when asked where they were to be sold so cheaply, replied 'At Rotterdam Stairs.' On April 15, a newswriter summed up the position:—"This press hath caused great murmurings among the people, and believe it we do much dread some sudden mischief from them, especially if they once hear that the Dutch have declared for the King. Our dearth of coal exasperates them and, I assure you, if the Dutch keep them from us, we shall shortly cut each other's throats."[3]

Interruption of the coal trade.

This seething mass of popular discontent must have strengthened the hands of those who opposed the Government on political grounds. The military preachers had for some time been able to defy Parlia-

Military preachers.

[1] Appleton to the Navy Committee, Nov. 22; Badiley to the Navy Committee, Dec. 2; Longland to the Navy Committee, March 14, *S. P. Dom.* xxv. 65; xxvi. 2; xxxiv. 32. Compare Professor Laughton's lives of Appleton and Badiley in the *Dict. of Nat. Biog.*

[2] Newsletter, April $\frac{8}{18}$, *Clarendon MSS.* ii. No. 1,083.

[3] Newsletter, April $\frac{18}{28}$, *ib.* ii. No. 1,096.

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ment unchecked. Before the end of March one of them announced at Blackfriars that they intended speedily to destroy 'that accursed Parliament at Westminster.' "Rather," said an officer, "than we will suffer this Parliament to sit any longer; we will bring in the Cavaliers and make a Parliament of them, whom we know have a great deal more of honour and honesty than they." On April 10, a young glazier preaching at Somerset House told his audience that 'they should ere long see greater destruction fall on the Parliament than ever befel the Cavaliers.' At this stage, a woman in the congregation irrelevantly called out: "Why do you wear cuffs? Neither our Lord nor His disciples ever taught in cuffs." The sympathies of the congregation, however, were with the preacher, and as soon as this conscientious questioner had been expelled, he proceeded with his revilings. On the 12th, the day of Thanksgiving for the victory over the Dutch, many churches remained closed, and those open were but thinly attended. Some of the sea-captains, remembering at what a price the victory had been won, left London to avoid offering thanks for a success which had cost the lives of so many of their comrades.[1]

April 10 A preaching glazier.

April 12. Day of thanksgiving for the victory in the Channel.

The propagation of the Gospel in Wales.

Signs were, however, not altogether wanting that the excess of fanaticism might lead to a reaction. Early in 1650 an Act had been passed for the propagation of the Gospel in Wales.[2] By this Act power was given to commissioners—of whom Harrison was one—to deprive all malignant and scandalous clergy, and to establish a preaching ministry in their room, upon the certificate of a

[1] Newsletter, April $\frac{1}{11}$, $\frac{15}{25}$, *Clarendon MSS.* ii. Nos. 1,067, 1,096.

[2] On Feb. 22, 1650. The Act is not in *Scobell*, but will be found in E. 1,060. No. 80.

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certain number of ministers whose names were recited in the Act. The authority thus conferred on the commissioners was to expire on March 25, 1653, and their opponents asked Parliament not to renew it. It can hardly be matter for surprise that the commissioners were highly unpopular in Wales, and that after a considerable number of the clergy had been ejected through their means and the vacant places supplied with vigorous enthusiasts, their nominees were sometimes waylaid and soundly beaten, so that they went about in danger of their lives.

Vavasor Powell.

The most conspicuous of the intrusive ministers was Vavasor Powell, a perfervid Welshman who was able to speak to his countrymen in their native tongue, and who, by the sincerity of his own life, gained numerous converts, even in that un-puritanical land. He had, too, dreams of millennial glory in the near future, which by no means diminished his influence over his imaginative disciples, but which incited the derision of the multitude. Wales teemed with slander against Powell. His morality was called in question,[1] and the commissioners were charged with tyrannical conduct. It was now said that Harrison had used 'his preaching people' to enlist 4,000 men in North Wales for his own purposes. So far did the rumour spread that Cromwell thought it worth while to question him, though he readily accepted his denial.[2]

Harrison charged with enlisting men in Wales.

In the streets of London incredulity had the upper

[1] These charges were printed in 1654 in *Strena Vavasoriensis*, and form the authority for Walker's account of the matter in *The Sufferings of the Clergy*. They were refuted by the testimony of neighbours and other persons qualified to give evidence, afterwards published in *Vavasoris Examen et Purgamen*, E, 732, 14.

[2] Newsletter, $\frac{\text{March 2}}{\text{April 4}}$, *Clarendon MSS.* ii. No. 1,056.

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March 27. Powell preaches in London.

April 3. A riot at Smithfield.

hand. On March 27, Powell, who had lately returned from Wales, preached in the Charter House to an overflowing audience, after which he begged his hearers to meet him on the following Monday in the open air at Smithfield, as there was no room for them in a church. On the appointed day Powell failed to keep his word. Learning that Smithfield was occupied by a mob some six thousand strong, he attempted to disarm hostility by sending a cap-maker who was one of his fellow-preachers to take his place. The unfortunate substitute was assailed by shouts of abuse, followed by a shower of stones. He would hardly have escaped with his life but for the intervention of the City Marshal, who pulled him down and carried him off. Even the offence given by Powell and his cap-maker was laid to the discredit of Parliament. The mob 'expressed much hatred against our Government, saying such rogues as he and those who protected him were the cause of all their miseries, but they hoped ere long to be freed from them.' [1]

March 25. Bill for continuing the authority of the Welsh commissioners.

Cromwell was no friend to mob-violence, but he took a warm interest in the propagation of the Gospel in Wales, and he must have regarded with favour the progress of a Bill which had been introduced[2] for continuing the authority of the commissioners. Hostility to a Bill in which Harrison was concerned was easily excited in Parliament. The commissioners, it was said, had in their hands 60,000*l.* of tithes, and asked for a prolongation of their powers merely to avoid parting with the money. On April 1 the Bill was rejected, and an order made for substituting more moderate ministers for those named

April 1. It is rejected.

[1] Newsletter, April $\frac{8}{18}$, *Clarendon MSS.* ii. No. 1,083.

[2] *C.J.* vii. 272.

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in the original Act as the dispensers of certificates to preachers.[1]

Cromwell maintains the authority of Parliament.

Whatever may have been Cromwell's feelings in the matter, he was not yet converted to the doctrine that the army was justified in overthrowing Parliament by force. "Our soldiers," says a news-writer, on the day on which the Bill was rejected, "resolve to have speedily a new representative, and the Parliament resolve the contrary. The General sticks close to the House,[2] which causeth him to be daily railed on by the preaching party, who say they must have both a new Parliament and General before the work be done; and that these are not the people that are appointed for perfecting of that great work of God which they have begun. There came a regiment of horse to town this week, full-mouthed against the Parliament, but were not suffered to stay here above two days before they, with three violent regiments more, were despatched out of the way towards Scotland." "We hear," proceeds the same writer a week later, "no talk now of our new representative, the heat of the soldiers being somewhat abated by the General's sticking close to the House and sending some of the maddest of them into Scotland."[3]

April 8.

Cromwell's support conditional.

Cromwell's resolution to stand by Parliament was, however, conditional on its readiness to proceed with the Bill for the new representative which had

[1] "Friday last the House voted down the preaching propagators of North Wales, and ordered a moderate clergy to be put in their places. They had got into their hands 60,000*l.* per annum of Church livings, which Harrison and others of that party are loth to part with." Newsletter, April $\frac{5}{15}$, *Clarendon MSS.* ii. No. 1,083. Nothing of this appears in the Journals, but at this period they were too irregularly kept to justify distrust on that score.

[2] *I.e.* continues to support it; he had not been present in the House for some time. See *infra*, p. 201.

[3] Newsletters, April $\frac{1}{11}$, $\frac{8}{18}$, *Hist. Rev.*, July 1893, pp. 528, 529.

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1653 March 30. The county franchise settled.

April 6. The Bill not called on.

been hitherto considered once a week. On March 30 the House agreed to establish a franchise of 200*l.* in property, either real or personal, in lieu of a complicated arrangement, supported by Vane, which took account of landed property only.[1] On April 6, when discussion would in due course have been renewed, the Bill was entirely passed over. It was no merely ordinary delay based on the pressure of other business that was contemplated. "Our Parliament," we hear, "considering the present state of affairs, which are such as require not only unanimity in counsels, but a necessity of reserving the management in those hands that have hitherto governed with such advantage—are resolved to waive for the present a new representative."[2] It is possible that the parliamentary leaders may at this point have thought of dropping the Bill altogether. If so, they resolved before many days had passed to transform rather than to destroy it. Terrified, we may imagine, at the outburst of fanaticism around them, men like Vane and Hazlerigg sought thus to maintain their own grasp on the helm rather than to give way to a Parliament chosen under the auspices of Harrison.

Possibility of dropping it.

April 7. A new army petition.

To such a scheme the officers were resolved to offer the most determined resistance. To them the continuance in any shape of the existing Parliament meant the continuance of a body not merely politically incapable, but governed by corrupt motives and influenced by low intrigue. On the 7th, the day after that on which the Bill had been passed over, a fresh army petition was presented, demanding that the House should proceed with the measure, first

[1] *C.J.* vii. 273. The franchise of 200*l.* was afterwards adopted by the Instrument of Government.

[2] Newsletter, April $\frac{8}{18}$, *Hist. Rev.*, July 1893, p. 529.

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taking into consideration a definition of the qualifications excluding improper persons from the future Parliament.[1] On the 13th the House so far complied with this request as to amend the qualifications intended originally to keep out Royalists, by adding a requirement that members should only be allowed to take their seats if they were 'such as are persons of known integrity, fearing God and not scandalous in their conversation.'[2]

April 13. Qualifications agreed to

The vote of the 13th, although taken in obedience to the army, would in the end render an appeal to force almost inevitable. The exclusion of Royalists cannot, under the circumstances, be severely criticised. The imposition of the new test, with its dangerous vagueness, threw supreme power into the hands of any man or body of men charged with its interpretation. That advantage the existing Parliament had no intention of foregoing. Vane's love of finesse as well as the strength of Cromwell's subsequent indignation, point to him as the author of the scheme now adopted, even though no direct evidence to that effect has come down to us.[3] Parliament was to transmute the Bill before it into one for filling up vacancies, leaving the old members not merely to retain their seats but to decide on the qualifications of those newly elected, and there are some reasons for believing that it was intended that this system of recruiting was to be applied to each successive Parliament, so that there would never be

An appeal to force almost unavoidable.

[1] "Les officiers ne se voulans plus payer de remise, presenterent il y a quinze jours une nouvelle petition contenant leurs mesmes propositions et les qualitez qu'ilz pretendoient que debvoit avoir ce nouveau representatif." Bordeaux to Brienne, $\frac{\text{April 21}}{\text{May 1}}$, *Arch. des Aff. Étrangères*, lxii. fol. 117.

[2] *C.J.* vii. 277.

[3] Except, at least, that we know the plan of partial elections to have been in favour with Vane.

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a general election again. As soon as the Bill was passed Parliament would adjourn till November, thus rendering it impossible legally to repeal or modify the Act. In the meanwhile the Government would be administered by the Council of State in which, though Cromwell and the officers had a majority as regarded the war, the Parliamentarians had a majority as regarded domestic affairs.[1]

[1] Professor Masson (*Life of Milton*, iv. 409, note 1) has set forth the case for holding that Parliament intended to recruit, not to dissolve, itself. He also holds that its Bill provided 'that the elections on new writs for the residue of the seats should be under the supervision of a committee.' If he means of a committee of the whole House, consisting of the old members only, I think he has hit on the most probable explanation of the means by which the new members were to be sifted. A committee in the ordinary sense was not trusted with the trial of election petitions before the Grenville Act in the 18th century, and, in default of positive evidence, it cannot be admitted in the present case. The rest of his contention has received additional strength since his work was published. In the newsletters printed in the *Hist. Rev.*, July 1893, we have the statement, on April 29, that the Act was 'for calling a new Parliament, or rather recruiting the old'; and another—undated—adds, 'on Wednesday morning the House made a delusory adjournment and a new representative on the 3rd of November next.' Hyde, who saw these letters, and probably others as well, writes that 'the members had no mind to quit their benches, and were preparing a Bill to increase their numbers, and then resolved to adjourn till November, and in the mean time to leave the government in the Council of State.' Hyde to Rochester, May $\frac{6}{16}$, *Clarendon MSS.* ii. No. 1,141. That Parliament intended to perpetuate itself is distinctly asserted in the manifesto of Cromwell and his officers, published on April 23 (*Several Proceedings*, E, 211, 24), where it is said that the opposition 'to the people of God and His spirit acting in them . . . grew so prevalent that those persons of honour and integrity amongst them who had eminently appeared for God and the public good . . . were rendered of no farther use in Parliament than by meeting with a corrupt party to give them countenance to carry on their ends, and for effecting the desires they had of perpetuating themselves in the supreme government, . . . and when they saw themselves necessitated to take that Bill into consideration, they resolved to make use of it to recruit the House with persons of the same spirit and temper." The point of the threatened adjournment is not mentioned here, but in a second manifesto issued on May 3 (*Another Declaration*, E, 693, 17) we are told that the

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That Cromwell when he came to know of this scheme should have been deeply dissatisfied was only to be expected. Even the qualifications themselves displeased him, now that he knew by whom they were to be interpreted. They would, as he afterwards explained, let in Presbyterians and neutrals who had deserted the cause of God.[1] On the 15th,[2] he reappeared in the House after an absence of at least a month,[3] to plead earnestly for the substitution of a general election in place of a mere scheme for the filling up of vacancies. It is high time, replied one of the leaders—possibly Vane or Marten—to his demand for a new Parliament, to choose a new General. Angry words were inter-

Cromwell dissatisfied.

April 15. He returns to Parliament.

His resignation demanded.

House, on the day of the dissolution, intended 'to pass the Act for a new Parliament to be called in November next; and if themselves having passed it had that day then adjourned, as probably they would have done had they not been dissolved, and by that means their design frustrated, the whole nation would have been in a sad condition.' This is supplemented by a statement in an account of the dissolution in *Several Proceedings*, E, 211, 20, to the effect that 'these present members were to sit and to be made up by others chosen, and by themselves approved of.' Bordeaux' testimony may be accepted as that of an independent witness. Parliament, he says, 'taschoit de s'asseurer de la faveur du peuple de Londres, et ne songeoit qu'aux moyens de continuer son autorité, ordonnant une nouvelle convocation avec telles conditions qu'ilz pourroyent se fermer, et que les officiers d'armée n'y auroient point de part.' Bordeaux to Brienne, $\frac{\text{April 21}}{\text{May 1}}$, *Arch. des Aff. Étrangères*, lxii. fol. 117. My own suggestion that it was intended to recruit each Parliament in perpetuity is founded on Cromwell's statement (*Carlyle*, Speech III.) that the plan was 'that when one Parliament had left its seat another was to sit down immediately in the room thereof, without any caution to avoid what was the real danger, the perpetuating of the same Parliament.' Carlyle suggests that these latter words should be 'the same men in Parliaments.' Unless Cromwell wanted a self-denying Act like that passed in the French Constituent Assembly, which there is no reason to suppose, his objection must have been to a system of recruiting in perpetuity.

[1] *Carlyle*, Speech I.

[2] Clarke Newsletter, April 16 [?], *Hist. Rev.*, July 1893, p. 528.

[3] Clarke Newsletter, April 9, *ib.*

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changed, and order was only restored by the intervention of the House. Yet, in spite of the line now taken by Cromwell, he had become such an object of suspicion in the eyes of the more violent officers, that even Harrison backed the proposal to supersede him. Cromwell taking his critics at their word offered his resignation. No officer was found bold enough to accept the succession, and Cromwell remained at the head of the force which he alone could wield.[1]

His offer to resign rejected.

Cromwell supports a compromise.

Cromwell had now to choose between Vane's scheme of recruiting the existing Parliament, and Harrison's scheme of erecting an assembly of pious and virtuous men.[2] Yet he could not bring himself as yet to make a definite choice. He rather hoped to find a compromise which indeed approached more nearly to the scheme of Harrison than to that of Vane, but which would have the great merit of avoiding a breach in the parliamentary tradition. "If it have but the face of authority," he had said

[1] "Per pensare a tutto e provedere al possibile seguono applicate e lunghe riduzzioni del Parlamento, in cui si trovano ben sovente discrepanti pareri per lo più sopra il progetto della dissoluzione di esso, per il che ultimamente accadde grande contestazione di parole tra il General Cromuel et un principale Parlamentario, perchè promossasi da quello alcuna cosa sopra la rinovazione del medesimo Parlamento fu da questo altamente risposto che non era tempo più proprio alla mutazione di Generale dell' armi che il presente, onde tra loro furono repplicate parole rigorose et ardite, alle quali fu posto fine dal maggior numero de' radunati; onde resta tuttavia l' apparenza dell' amarezza tra il General Cromuel et il Parlamentario tenente Maggior Harrison, che sottomano et anco alla scoperta tende a pregiudiciarli nel comando dell' armi, ma li sarà sempre difficile l' avanzar passi contro di lui nell' auttorità che possiede e nell' accortezza che maneggia, persuaso della quale rissolse egli ultimamente di presentare la sua commissione e consegnarla nelle mani di che più havesse aggradito riceverla, e fosse dal Parlamento ordinato; onde non havendo alcuno osato a tanta intrapresa rimane egli, può dirsi, maggiormente stabilito, ma il di lui animo intimamente esacerbato." Pauluzzi to Morosini, April $\frac{17}{27}$, *Letter Book R.O.*

[2] See p. 181.

in 1647, "if it be but a hare swimming over the Thames, I will take hold of it rather than let it go."[1] He was of the same opinion still. The difficulty lay in the impossibility of forecasting the composition of a Parliament freely chosen. Why might it not be solved by temporarily suspending the parliamentary system, and by persuading Parliament to appoint a limited body of right-thinking men to take its place, on the understanding that as soon as the country was accustomed to the new order of things parliamentary government should be restored.[2] Cromwell appears to have thought that by allowing Parliament

[1] *Great Civil War*, iv. 4.

[2] The objects of the officers at this time are well put in the Declaration of April 23: "After much debating it was judged necessary and agreed upon that the supreme authority should be by the Parliament devolved upon known persons, men fearing God and of approved integrity, and the Government of the Commonwealth committed unto them for a time as the most hopeful way to encourage and countenance all God's people, reform the law, and administer justice impartially; hoping thereby the people might forget monarchy, and understanding their true interest in the election of successive Parliaments, may have the government settled upon a true basis, without hazard to this glorious cause, or necessitating to keep up armies for the defence of the same" (*Several Proceedings*, E, 211, 24). Pauluzzi traces the proposal of this compromise—such as it was—to Cromwell: "Dopo quali avvenimenti"—*i.e.* the scene in Parliament on the 15th—"mi è stato confermato essersi egli trattenuto di portarsi nel Parlamento secondo il suo solito, e che non lasci con li suoi confidenti a parte a parte d' andar consigliendo li proprii interessi e forse quelli ancora dello stato, che continuando questi particolari livori non potrebbe che grandemente rissentirsi dei pregiudizii e dare maggiormente animo a nemici di mostrarsi più che mai rinitenti da un accordo, e grandemente elevati in ogni caso nelle pretensioni. Con la considerazione di che dalli più prudenti et auttorevoli dal Governo si procurerà divertire gl' iminenti sconcerti, riunendo gl' animi, et operando unanimamente alla quiete del Stato, alla riputazione dell' armi, et alla grandezza della Reppublica tanto più prontamente quanto che si scuoprono gl' innimici poderosi al mare, e qui della maggior parte supporti ostinati nella continuazione della guerra." Pauluzzi to Morosini, April $\frac{17}{27}$, *Letter Book R.O.*

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to select the depositories of power, its objection to the establishment of a government of military fanatics would be amply met.

A conference summoned.

Having without difficulty obtained the assent of his officers, Cromwell invited the parliamentary leaders to confer with them on the afternoon of the 19th at his lodgings in Whitehall, in accordance with the practice established in October.[1] When the conference opened it became evident that Cromwell's proposal met with no favour with either lawyers or politicians. The reverence for parliamentary institutions was deeply imbedded even in the minds of those who were prepared to manipulate them in their own favour. Widdrington and Whitelocke poured out legal arguments in defence of the parliamentary constitution, and though the names of other speakers have not reached us, we may be sure that Vane and Scot did not hold their peace. The debate reached long into the night. St. John sided with the officers in support of Cromwell's plan. In the midst of heated discussion the personal question overswayed the constitutional. "It is necessary," said a soldier, "the same should be done one way or other, and the members of Parliament not suffered to prolong their own power."[2] Such threats were not to Cromwell's taste. He promptly rebuked the speaker,[3] and the discussion trailed on till the sitting was broken up through sheer weariness. Before leaving, however, the Parliamentarians promised to meet again on the following afternoon, and to do their best to hinder

April 19. Opposition to Cromwell's compromise at the conference.

A threat used.

The speaker rebuked by Cromwell.

[1] See p. 171.

[2] *Whitelocke*, 554. In Lord Bute's MS. this appears in an abbreviated shape: "It is not fit to permit the members of Parliament to sit longer."

[3] "At which expression," says Whitelocke, "Cromwell seemed to reprove some of them" (*ib.*)

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the progress of the Bill at the morning sitting of the House.[1]

When the morning arrived, a few of those who had been present at the discussion of the preceding night dropped into Cromwell's lodgings to carry on the argument. Before long it was announced that Parliament was sitting, and all who were members, with the exception of Cromwell, went off to attend the House. On their arrival they found the Bill already under discussion. The House, it appears, had no mind to be bound by the stipulations of its leaders. It was not the 'grandees' who had most to fear from the inquiry into peculation which was dreaded from a government under the influence of the army, but the rank and file of the party who had dabbled in corruption. Sweeping aside the promises made by its leaders, the House itself had called for the Bill, and sought to hurry it through before Cromwell could be informed.[2] In vain Harrison warned them of the risk they were incurring.[3] The

April 20. A small gathering at Cromwell's lodgings.

The Bill under discussion in the House.

[1] "It being consented to by the members present that endeavours should be used that nothing in the meantime should be done in Parliament that might exclude or frustrate the proposals before mentioned" (Declaration of April 22, *Several Proceedings*, E, 211, 24). According to a newsletter (*Hist. Rev.*, July 1893, p. 532) the members would have, "according to their own promise unto the General, been *felos de se* as on Thursday next." It is not unlikely that something was said to the effect that if an understanding could be arrived at on the 20th the House would dissolve on Thursday, 21st. As a pure hypothesis, it may be conjectured that the parliamentary leaders, whilst rejecting the proposed compromise, expressed willingness to dissolve at once if 'qualifications' satisfactory to both sides could be agreed upon for the election of a new Parliament.

[2] "The members promised to consider and give in their judgment thereof the next day, and in the interim would endeavour to keep the Bill from passing; but this being told to most of the members, the House, in the General's absence, called the next morning for the Bill, and before his Excellency could come had near passed it, contrary to promise, as was then told to them."

[3] An account of the dismissing of the Parliament, *Several Pro-*

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House had taken the bit between its teeth, and Vane and his companions who had given the promise over night—perhaps excusing their conduct on the ground that they were powerless to resist the current—either joined heartily in the work of the majority, or remained silent spectators of the scene.[1] In the eyes of the officers present the danger was not confined to the passage of the Bill. It would be followed first by the threatened adjournment to November, and in the second place by the dismissal of Cromwell and the appointment—already for some weeks under discussion—of Fairfax as his successor. Fairfax in power would bring with him the domination of the hated Presbyterians with their notorious intolerance.[2]

ceedings, E, 211, 20; Clarke Newsletter, April 23, *Hist. Rev.*, July 1893, pp. 531, 532.

[1] Cromwell stated that 'at parting two or three of the chief of them—one of the chief and two or three more—did tell us that they would endeavour to suspend further proceedings' (*Carlyle*, Speech I.) Carlyle is probably right in holding that 'one of the chief' was Vane. The account I have given above is founded on the quotation from the Clarke Newsletter of April 23. So far as it is conjectural, it is borne out by its affording the only possible solution of a considerable difficulty. I am loth to believe that Vane and the rest, after promising to endeavour to stop the Bill, should have gone to the House in the morning with the deliberate intention of pushing it on. Vane was capable of finessing, not of a deliberate breach of promise.

[2] This side of the affair is strongly brought out by the Spanish ambassador: "No era el intento del consejo de guerra executar este dia la resolucion que havian tomado, pero vieronse obligados a ello por hacer entendido que el Parlamento trataba de hazer un acto sobre la mudanza del que pedia la militia contrario a lo que los del consejo de guerra havian ajustado el dia antes con veinte miembros de los Principales del Parlamento sobre el haverles hecho entender que no queria el Ejercito passar mas por las delaciones del Parlamento, sino que holgarian se disolviese con quietud y reputacion suya, porque haviendoles offrezido los veinte Parlamentarios de procurarlo assi en la Casa, no le cumplieron antes trataron y solicitaron que se hiziese luego el dicho acto que era de que el Parlamento se disolvia para el mes de Noviembre con fin de prevenirse entre tanto de la fuerza que

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Harrison summons Cromwell.

Seeing how the tide was running Harrison despatched a messenger to Cromwell. The moment that the news reached him, Cromwell flamed up in wrath against the promise-breakers, called in an officer and bade him summon a guard of soldiers. Taking the men with him, he stationed them at all the approaches to the House, after which he entered and took his seat. It was noted that he was dressed in plain black clothes, with grey worsted stockings, apparently as if he had not intended to appear in the House on

Cromwell appears in the House.

tenian de la milicia, con que llegando la noticia dello al consejo de guerra que se hallaba junto, antecipò la noticia de su designio, preveniendo el del Parlamento que dizen miraba a ajustarse con el General Farfax, y restituirse a su cargo de General que antes tenia para opponerle a Cromuel y dividir por este medio el Ejercito, en que Farfax, como Presbyteriano, tiene a su devocion todos los que lo son" (Cardenas to Philip IV. $\frac{\text{April } 23}{\text{May } 2}$, *Simancas MSS.* 2,528. Cromwell (*Carlyle*, Speech I.) speaks strongly of the Presbyterians. He and his friends had asked whether any of the qualifications reached the Presbyterian party. "And," he continued, "we were bold to tell them that none of that judgment who had deserted this cause and interest should have any power therein. We did think we should profess it that we had as good deliver up our cause into the hands of any as into the hands of those who had deserted us, or who were as neuters. For it's one thing to love a brother, to bear with and love a person of different judgment in matters of religion, and another thing to have anybody so far set in the saddle on that account, as to have all the rest of his brethren at mercy." Was this fear of a Presbyterian reaction a mere chimera? I am inclined to think that it was not. Every now and then in foreign despatches we come upon statements of the Presbyterian influence in Parliament, similar to that just quoted from Cardenas. The leaders were still, as ever, Independent; but amongst the less conspicuous members there were probably many Presbyterians in religious opinion who had either not voted for continuing the treaty of Newport, or, if they had, had recanted their opinion. Besides, many who had formerly counted themselves Independents might slip back into Presbyterianism through sheer dread of the army. It was, as we learn from the foreign despatches, with 'Presbyterians' that Cromwell allied himself in his opposition to the Dutch war—men, I gather, somewhat lukewarm in religious matters, and friendly to a good understanding with France as well as to peace with the Dutch.

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A conversation with Harrison.

that day.[1] For a while he sat silently watching the proceedings, then beckoning to Harrison, he whispered in his ear that he judged the Parliament ripe for a dissolution. Even Harrison was sobered by the momentousness of the impending catastrophe. "Sir," he replied, "the work is very great and dangerous, therefore I desire you seriously to consider of it before you engage in it." For a quarter of an hour longer Cromwell kept his seat. At last the Speaker put the final question 'that this Bill do pass.' "This," said Cromwell to Harrison, "is the time. I must do it."

The Speaker puts the question, Cromwell speaks to it.

Standing up as if to speak to the question, he stirred the memories which lay within him of the earlier and better days of that great assembly. He acknowledged its 'pains and care of the public good.' After a while his tone changed. He told the astonished members 'of their injustice, delays of justice, self-interest, and other faults,' 'charging them not to have a heart to do anything for the public good, to have espoused the corrupt interest of Presbytery and lawyers who were the supporters of tyranny and oppression,' and finally to have resolved to perpetuate themselves in power.

Attacks the House,

and particular members.

The rush of words betrayed the growing wrathfulness of the man. "Perhaps," he said, "you think this is not parliamentary language. I confess it is not, neither are you to expect any such from me." Then, putting on his hat, he stepped forward and, striding up and down, addressed cutting remarks to individual

[1] I do not know how he usually dressed himself for the House, but the note taken of the clothes shows that he was more plainly attired than usual. This is another proof—if proof were still necessary—that his action was not premeditated. If he expected nothing of importance to take place till the resumption of the meeting with the Parliamentary 'grandees' in the afternoon, he would not dress himself in the morning for public appearance.

members. "Some of you," he said, looking fixedly at Marten and Wentworth as he spoke, "are whoremasters. Others," he continued, pointing to one or another with his hand, "are drunkards, and some corrupt and unjust men, and scandalous to the profession of the Gospel. It is not fit that you should sit as a Parliament any longer. You have sat long enough unless you had done more good." At last Sir Peter Wentworth rose to complain of this unbecoming language, 'the more horrid,' he said, 'in that it came from their servant whom they had so highly trusted and obliged.' His words irritated Cromwell past endurance. "Come, come," he cried, "I will put an end to your prating. You are no Parliament. I say you are no Parliament. I will put an end to your sitting." "Call them in; call them in," he added, turning to Harrison as he spoke.

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Orders in the soldiers.

Harrison obeyed orders. The door was flung open, and with measured step some thirty or forty musketeers, led by Lieutenant-Colonel Worsley, tramped into the House. "This," cried out Vane, indignant at this violation of the sanctities of the place, "is not honest, yea it is against morality and common honesty." Surely there was a touch of sadness in Cromwell's answer to his old friend, who through eleven troubled years had been to him more than a brother:—"O, Sir Henry Vane! Sir Henry Vane! The Lord deliver me from Sir Henry Vane!"[1]

Altercation with Vane.

From words Cromwell proceeded to acts. By his direction Harrison stepped up to the Speaker's chair, and upon Lenthall's refusal to stir, handed him down the floor of the House. It needed the same show of compulsion to stir Algernon Sidney from his seat.

[1] Lord Lisle (afterwards Earl of Leicester) says in his journal that Cromwell had already reproved Vane without naming him, and does not mention this reproof.

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The mace removed.

Then, as others rose to go, Cromwell fixed his eye on the mace. "What shall we do," he asked, "with this bauble?"[1] "Here," he cried to Captain Scott, who was standing by, "take it away." Captain Scott did as he was bidden, and for some months the highest symbol of parliamentary authority remained in the house of Worsley, the commander of the detachment by the help of which Cromwell had achieved his purpose.

Cromwell's reproofs.

The departing members were not allowed to escape without reproof. "It's you," cried Cromwell, as they trooped past, "that have forced me to this, for I have sought the Lord night and day, that He would rather slay me than put me upon the doing of this work." One only amongst the retreating crowd ventured to reply. Alderman Allen fatuously told the master of the army that he had not yet gone too far, and that there was still time to order out the soldiers and restore the mace. Cromwell's scornful answer was a charge that Allen was indebted 700,000*l.* to the State, and an order for his arrest, from which, however, he was liberated on the following day. When all were gone, Cromwell snatched the Bill on Elections from the clerk, put it under his cloak, and as soon as the doors were locked strode away to Whitehall.[2]

The doors locked.

[1] *I.e.* The jester's staff, surmounted by a cap and bells.

[2] The main authorities are Ludlow, who, as Mr. Firth points out, 'must have learnt these details from Harrison in 1656' (*Ludlow*, i. 352, note 1), and Lord Lisle's (Leicester's) Diary (Blencowe's *Sydney Papers*, 139); the latter being an eyewitness. Something also is to be gleaned from *Whitelocke*, p. 554, and the newsletters in the *Hist. Rev.*, July 1893, pp. 531–534. There is also a letter from S. Mewce to Lady Hatton, written on April 21, printed in the *Hatton Correspondence*, i. 7. I rather suspect that Harrison must have exaggerated his account of his own language in asking Cromwell to deliberate on the importance of what he was doing, as it was Harrison's cue to ascribe the origination of the deed to Cromwell rather

Even then Cromwell's work was not entirely done. In the afternoon he received tidings that the Council of State was in session as if nothing extraordinary had taken place, and was proceeding to the election of a new chairman in the place of Denis Bond whose term of office was to expire on the 23rd. Accompanied by Lambert and Harrison, Cromwell made his way to the Council Chamber. "Gentlemen," he said, "if you are met here as private persons, you shall not be disturbed; but if as a Council of State, this is no place for you; and since you cannot but know what was done at the House in the morning, so take notice that the Parliament is dissolved." In the name of that dissolved Parliament Bradshaw answered him with dignity. "Sir, we have heard what you did at the House in the morning, and before many hours all England will hear it; but, Sir, you are mistaken to think that the Parliament is dissolved; for no power under heaven can dissolve them but themselves; therefore take you notice

Dissolution of the Council of State.

Bradshaw's defiance.

than to himself. On his way to execution he said: "The breaking of Parliament was the act and design of General Cromwell; for I did know nothing of it. That morning before it was done, he called me to go along with him to the House." *A Complete Collection of the Lives, Speeches, &c., . . . of those Persons lately Executed*, p. 9. This is literally true if only the design of practically carrying out the measure is intended. I have followed Lord Lisle in placing the removal of the mace after the expulsion of Algernon Sidney. Lord Lisle was present, and must have been especially interested in the treatment of his brother. Other authorities place the scene earlier. Indeed, the arrangement of the various scenes as given in the text can only be taken as a probable arrangement of discordant authorities. Whitelocke slurs over the whole affair, being probably unwilling to notice that some of Cromwell's hard words were directed against himself. The story of the conversation between Cromwell and Vane is transposed by Lisle, as if Vane had told Cromwell that he had not common honesty, but as he mentions it only as a rumour, and places it when Vane was leaving the House, I have thought it best to neglect it in this shape.

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of that."[1] It was the last defiance of legality to military violence. The only answer which Cromwell could give had been already given in the morning, when he declared the existing House to be 'no Parliament.' It had no claim to represent the people, and for many a long day it had acted in its own name rather than in that of the nation. Yet, forsooth, this mutilated body had resolved to constitute itself the kernel of future assemblies, and to admit or reject to seats in a future Parliament as seemed good in its eyes. Cromwell, in his deed, was a truer representative of the feeling of the nation than the men who posed as its representatives. In him, as in the mass of his countrymen, political distrust was weighted by contempt for the extortions and greediness of the members, and that contempt was best expressed by the words "This House to be let unfurnished"[2] scribbled on its door by some wit of the streets under cover of the shades of evening.

[1] *Ludlow*, i. 357. Compare other authorities in Mr. Firth's note on this passage. Bradshaw is sometimes incorrectly spoken of as President of the Council.

[2] *Several Proceedings*, E, 211, 24.

CHAPTER XXVI.

A TEMPORARY DICTATORSHIP.

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ONCE more Cromwell, after long hesitation, had stepped forward as the destroyer. As he had broken the power of the King and of the Episcopal clergy, and had subsequently broken the power of the Presbyterian clergy and the Scottish army on which they relied, so he now broke the power of the little knot of men who, with parliamentary government on their lips, bitterly distrusted the nation on which all parliamentary right was based. The English Constitution was now but a sheet of white paper. King, Lords and Commons had vanished, and it was for Cromwell and those by whom he was supported to substitute for them such institutions as the feeling of the nation and the conditions of the time would admit. The work of reconstruction was the task of the day, and, unfortunately, Cromwell had never yet shown that his intellect, massive as it was, was such as to enable him to rise to the height of this great argument.

Cromwell as the destroyer.

The period of reconstruction arrived.

Nor, it must be confessed, were the inherent difficulties of the work he had undertaken easy to overcome. The whole history of the Parliament he had overthrown, even more by the good it had accomplished than by the evil it had done, had thrown obstacles in the path of the reformer. When

Difficulties in the way.

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The first work of the Long Parliament.

that Parliament met in 1640, it resolved to carry out certain reforms, political and ecclesiastical, by the instrument of Parliaments triennially elected. As always happens, when the passions are stirred by some great and overwhelming emotion, the end in view was fused in the minds of men with the means by which that end was to be attained. It was not long, however, before the exigencies of conflict with the King taught the Houses that the idea of frequent elections must be temporarily abandoned, and that they must secure their own permanence till they had brought the King upon his knees. The Act prohibiting dissolution of the existing Parliament was their first step in the revolutionary career into which they were forced.

Its divisions.

Parliamentary government less thought of than reform.

Within Parliament itself, as long as it dealt with political reforms alone, almost complete unanimity prevailed. Then came a time when a majority of the Commons, combining with a minority of the Lords, demanded ecclesiastical reforms which were far from approving themselves to the remaining members of either House. To the majority of the Lords Pym replied that it was for the Commons to save the State without the help of the Lords. It was a second step in the revolutionary direction. The means of parliamentary government were subordinated to the ends desired by the majority of the Commons.

The Independents impatient of parliamentary control.

Soon after the conclusion of the first war, the triumph of the Independents over the Presbyterians advanced the reformers to supreme power. Men who longed for religious toleration with a stern conviction were impatient of parliamentary majorities working for uniformity. The intervention of the army in 1647, Pride's Purge in 1648, the dispersal of

the remnant of the House of Lords in 1649, were the natural result of the predominance of a party which, without openly renouncing parliamentary traditions, cared less for their maintenance than for securing definite changes in Church and State. Yet, even amongst these, as the cry for reform grew louder, there were some whose hands slackened, whilst there were still left sitting in the House many, probably a majority of the members, bent upon using their position to make money for themselves, with no real interest for the public welfare. It, therefore, needed very little evidence to convince the reformers that the existing House would never respond to their wishes, especially as they were far stronger in the army than they were in Parliament.

A demand for a dissolution.

The inevitable consequence was that cry for a dissolution to be followed by fresh elections, which had resounded through the country ever since the victory at Worcester. Yet the notion of governing by elected Parliaments, strong in 1640, had become seriously weakened by 1653. Men who had taken part in or had merely witnessed the parliamentary struggle, had become habituated to the belief that to secure what they regarded as right ends, it was not only permissible but even desirable to tamper with the parliamentary representation. Both army and Parliament were of one mind in being ready to exclude Royalists, but when the Parliament proposed to continue their own members not only as sitting by prescriptive title, but as judges of all new elections, the patience of the army, fearing the return of a Presbyterian or a lukewarm majority, took alarm. What was still more ominous was that whilst Cromwell, and probably Lambert, were urging a complete dissolution followed by close restrictions

Views of Cromwell and Lambert.

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on the choice made by the electors, there had arisen in the army a party, headed by Harrison, which would willingly have dispensed with fresh elections altogether. The Fifth-Monarchists and those who, without giving themselves this title, took the same side with them had, at least, the courage of their opinions. The earth they held was to be ruled by the saints, and not by elected Parliaments. Only thus could the nation hope to attain to those reforms on which its heart ought to have been set. A picked body of religious men must be chosen to lead the people in the paths of spiritual and temporal felicity. Such a view, preposterous as it may seem to those who have been nursed in the long tradition of parliamentary government, was, nevertheless, in accordance with that growing distrust of the power of the nation to preserve itself, which had governed events almost from the opening of the Long Parliament.

Reforms offered.

The benefits offered to the people in exchange for a right of election which had not been exercised for more than twelve years were by no means wholly of a religious nature. The new Government, they were told, would lower taxation by making peace with the Dutch, would pay the debts incurred by the vanished Parliament, and, above all, would reform the law in such a way as to offer justice to the poor.[1] On the day after the dissolution Vavasor Powell was reported by a Royalist to have announced from the pulpit at Whitehall that, as soon as the new Government was formed, 'law should stream down like a river freely, as for twenty shillings what formerly cost twenty pounds, impartially as the saints please, and it should run as

[1] Pauluzzi to Morosini, $\frac{\text{April } 29}{\text{May } 9}$, May $\frac{29}{30}$, *Letter Book R.O.*

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rivers do, close to the doors.'[1] Such expectations, coupled with the extreme unpopularity of the dissolved Parliament, naturally gained for the officers the goodwill of large sections of the population, and Cromwell himself, for the last time in his life, became the most applauded man in England.[2] At first, indeed, it had been feared that the City might testify its ill-will, and regiments had been moved forward towards London to keep it in awe. It soon appeared, however, that there was no cause for alarm. On the afternoon of the day on which Parliament was broken up the Lord Mayor was summoned to Whitehall and, upon his proffer of the surrender of his sword of office, was bidden by Cromwell to take it back and fulfil the duties of his place.[3] On the 25th the General pardoned a batch of prisoners on their way to Tyburn.[4] "To hang a man for six and eightpence, and I know not what," he declared long afterwards to one of his Parliaments; "to hang for a trifle and acquit murder . . . to see men lose their lives for petty matters, this is a thing God will

Popularity of the new Government.

Feeling in the City.

April 20. Cromwell and the Lord Mayor.

April 25. Criminals pardoned by Cromwell.

[1] Newsletter, *Hist. Rev.*, July 1893, p. 533.

[2] This is attested not only by the newspapers, but by the foreign ambassadors.

[3] Bordeaux to Brienne, $\frac{\text{April 21}}{\text{May 1}}$, *Arch. des Aff. Étrangères.*

[4] "In the morning his Excellency the Lord General sent a pardon for such as were convicted for murder, and an order for staying the execution of all; which is a gracious jubilee unto them, and if it were so that none hereafter should suffer death for theft, because we read not of any such law in Holy Scriptures, yet there may be found some other way of punishment, which may be as great, if not greater than death itself to such whose minds are held captive with sin and wickedness." *Perf. Account*, E, 693, 9. The first part of this paragraph is in contradiction with the second, and I suspect that the writer intended to say that those 'not convicted for murder' were pardoned. This view of the case receives strength from the wording of a statement by the Nuncio at Brussels that Cromwell pardoned 'tutti condannati a morte eccettuato gl' homicidi volontarii.' *Vatican Archives, Nunz. di Fiandra.*

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reckon for."[1] Cromwell, however, save on this one occasion, never achieved that absoluteness which would have enabled him to carry into effect the desire of his heart in this matter.

Cromwell supported by the army.

It was beyond dispute that as long as Cromwell had the support of the army and navy he could deal with the Constitution as he pleased. Of the fidelity of the army there had never been any doubt, and the adhesions which came in from regiments stationed in every part of the country added little to the confidence already existing at head-quarters. As regarded the navy, it was known that Blake was highly dissatisfied with the late proceedings, but Blake was at Portsmouth, incapacitated by his wound from taking an active part in affairs, and when, before the end of April, he travelled up to London he was still suffering, and in no sense able to throw his influence on the side he favoured.[2] Deane and Monk were, therefore, masters of the situation. Avoiding all suspicion of a wish to draw the navy into the political current, they circulated amongst their captains a declaration signed by themselves, in which they skilfully announced that they had found it set upon their spirits that they were called and entrusted by the nation 'for defence of the same against the enemies at sea,' and that they were 'resolved in the strength of God unanimously to prosecute the same according to the trust reposed in them.'[3] This declaration

Blake's dissatisfaction.

April 22. Declaration of the navy.

[1] *Carlyle* Speeches.

[2] "Blake is ousted of his command, and is come to town highly discontented. He is much for the Parliament." Newsletter, $\frac{\text{April 29}}{\text{May 9}}$, *Clarendon MSS.* No. 1,121. A later communication of May $\frac{6}{16}$ states that Blake was to 'go no more to sea' (*ib.* No. 1,135). Another letter of the same date (*ib.* No. 1,144) says that 'Blake is in town, not yet cured nor satisfied, but what power he hath to express his discontents by action, time and opportunity must manifest.'

[3] Declaration of the Generals at Sea, April 22, *Merc. Pol.*, E, 693, 12.

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received general support in the fleet, and Blake, mastering his dissatisfaction, accepted the principle of non-political service, and by the second week in May was found taking part in Admiralty business on shore.[1]

May. Blake serves under the new Government.

It was only natural that the hopes of the Royalists who had suffered such grievous wrongs from the Long Parliament should have been rekindled upon its destruction. "The young man's bargain," wrote one of them, "is two in six better."[2] With the knowledge that the new Government had secured the support of the army and navy, these expectations died away, and for the remainder of the year nothing is heard of any attempt on the part of the partisans of the monarchy to turn the political situation to their advantage.

Royalist hopes die away.

If, however, the Royalists were to be kept long at bay, it was necessary that Cromwell and his brother officers should come to a speedy decision as to the form of government to be established. Their first Declaration, drawn up on April 22, simply recited the events of the late struggle, stating that the demand made by the officers had been that 'the supreme authority should be by the Parliament devolved upon known persons, men fearing God, and of approved integrity, and the government of the Commonwealth committed unto them for a time.'[3] When, however, the Army Council set itself to discuss the form which the new governing body should take, wide differences of opinion manifested themselves. Harrison declared for a nominated assembly large

April 22. First declaration of the General and officers.

Divergent views on the constitution of the new Government.

[1] Blake to Cromwell, May 12, *S. P. Dom.* xxxvi. 53.

[2] Newsletter, *Hist. Rev.*, July 1893, p. 533.

[3] *A Declaration of the Lord General*, E, 692, 6. It was published on the 23rd.

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enough to bear some resemblance to a Parliament, and consisting if possible of seventy members, following the number of the Jewish Sanhedrim. Lambert, on the other hand, preferred that power should be entrusted to a small Council,[1] and, as far as inferences can be drawn from the very slight evidence which has reached us, he seems to have wished that this Council should ultimately share its powers with an elected Parliament, to be held in restraint by the provisions of a written constitution, entitled the *Instrument of Government*, after the example of the *Agreement of the People*.[2]

At first it seemed likely that Lambert's opinion would prevail. For a few days after the expulsion every rumour pointed to the establishment of a small Council, sometimes coupling it with an inten-

[1] *Ludlow*, i. 353.

[2] The reference to the *Instrument of Government* is given by Ludlow (*ib.*), who says that soon after the dissolution Cromwell 'sent for Major Salwey and Mr. John Carew, to whom he complained of the great weight of affairs that by this undertaking was fallen upon him; affirming that the thoughts of the consequences thereof made him to tremble, and therefore desired them to free him from the temptations that might be laid before him; and to that end to go immediately to the Chief Justice St. John, Mr. Selden, and some others, and endeavour to persuade them to draw up some instrument of government that might put the power out of his hands. To this it was answered by Major Salwey: "The way, sir, to free you from this temptation is for you not to look upon yourself to be under it, but to rest persuaded that the power of the nation is in the good people of England, as formerly it was."' Salwey did not serve under the Protectorate, and Ludlow probably derived his information from him. The only question, therefore, is whether their talk about an instrument of government was antedated. I do not think it was. Lambert is indeed only credited with proposing a small Council at this time; but, considering that the *Instrument of Government* when it did come into existence was mainly his work, it is highly probable that Lambert now asked for what was established at the end of 1653—a written constitution in which a small Council would govern, whilst an elected Parliament was ultimately to join it for legislative and other purposes.

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tion never to assemble Parliament again.[1] Yet, for all that, nothing was decided. To provide for current business, a body of seven military men and three civilians—the Decemvirate, as the Royalists styled it—was, on April 29, established as a Council of State,[2] and on the following day a proclamation announcing the fact was drawn up, and this proclamation it was proposed to issue in Cromwell's name, with the addition that persons of approved fidelity and honesty were 'to be called from the several parts of this Commonwealth to the supreme authority.' So far as this language went, it would appear that Cromwell had rallied to Harrison's principle of a large selected body. Yet several days passed without the publication of the proclamation, and on May 3 a Declaration was substituted for it,[3] which was a mere echo of the former Declaration of April 22, and can merely have been intended to occupy the public mind till the Army Council had come to a decision. At last, on May 6, Cromwell's proclamation, drawn up eight days before, was allowed to see the light.[4]

April 29. A Council of State established.

April 30. A proclamation drawn up.

In all probability the unusual delay was caused by Cromwell's anxiety to be able to announce that in accepting Harrison's principle he hoped to broaden it out in practice. No Sanhedrim of pious fanatics, but a gathering of patriotic—if Puritan—notabilities was the government which now shadowed itself in

Cromwell hopes to gather an assembly of notabilities.

[1] Pauluzzi to Morosini, $\frac{\text{April 23}}{\text{May 3}}$, *Letter Book R.O.* "Whether or no," asks a friend of the late Parliament, "is the giving of the supreme power into the hands of five or six more such a thing as the government of a Commonwealth, when the Commonwealth is excluded from the liberty of making a choice of persons to govern?" *Ten queries* in MS., E, 693, 5.

[2] C. of St. Order Book, *Interr.* I, 69; Newsletter, May $\frac{6}{16}$, *Clarendon MSS.*, No. 1,144.

[3] *Another Declaration*, E, 693, 17.

[4] It was published in *The Faithful Post*, of May 6, E, 213, 3.

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An offer to Fairfax.

his mind. He even offered a seat to Fairfax, and if Fairfax had been there, room would surely have been found for others who, though they had more or less strongly disapproved of the attack on the late Parliament, would be ready to co-operate in the task of modelling the future government of the Commonwealth. Fairfax, however, begged to be excused, and the generous scheme could only be realised imperfectly, if at all.[1] The delay somewhat affected public feeling, and Cromwell was now charged with want of foresight in failing to take account of the inconveniences likely to follow from his act in breaking up the Parliament.[2] To no one, it seems, did the failure of Cromwell's hope give greater pleasure than to Harrison. "The Lord," he is reported to have written to a friend, "had now at last made the General instrumental to put the power into the hands of His people contrary to his intentions; that it was the Lord's work, and no thanks to his Excellency."[3]

Public feeling affected by the delay.

Harrison's triumph.

Cromwell averse to fanaticism.

Yet there were signs already that it would not be easy to bring Cromwell under the yoke of the bodies styled by a Royalist 'the fanatic gathered Churches,'[4] the congregations, that is to say, which met outside the regular parochial organisation. Already there

[1] After long discussions, 'così per lo stabilimento del numero come per la qualità de' soggetti, essendosi di più inteso che alcuno nominato a pressiedere in esso habbi civilmente e sotto il colore di qualche suo giunto impedimento o prettesto ricusato l'impiego, onde solamente ieri con una ampla dichiarazione datasi alle stampe con il titolo della sola auttorità del Cromuel . . . si è inteso stabilito un nuovo Consiglio del Stato.' The name of the person referred to is supplied by a newsletter of April 29. "Of this number the Lord Fairfax is one." *Hist. Rev.*, July 1893, p. 534.

[2] Bordeaux to Brienne, May $\frac{12}{22}$, *Arch. des Aff. Étrangères*, lxii. fol. 141.

[3] Newsletter, May 6, *Hist. Rev.*, July 1893, p. 529.

[4] *Ib.*

was a division of opinion amongst the officers on the subject of religion.[1] We are not informed what was the nature of the dispute, but we know that Cromwell had been exhibiting a spirit of tolerance which can hardly have been to the taste of many of his comrades. Not only had he sent a guard to protect a Presbyterian minister who had been turned out of his pulpit by an Independent rival, but he had interfered to save Royalists and even Catholics from their persecutors.[2] Cromwell was no speculative theorist, and the advocacy of such must have grated on his ears. John Spittlehouse, for instance, a Fifth-Monarchist, who described himself as 'a late member of the army,' published two pamphlets, the one on April 24 and the other on May 19. In the first he laid down the proposition that only those who had the interest of the Commonwealth at heart ought to take part in the government, and that these were almost confined to the members of the gathered Churches and the army. As members of the Churches were debarred from taking part as such in temporal matters, it followed that the country ought to be governed by a committee chosen by the officers.[3] In his later pamphlet he revised his conclusion, holding now that the government ought to be directly nominated by Cromwell himself. Cromwell was appointed by God to rule England as Moses had been appointed to rule Israel, and ought, as Moses had chosen officers to settle the disputes of the Israelites,

He protects Presbyterians, Cavaliers, and Catholics.

Pamphlets by Spittlehouse.

[1] Bordeaux to Brienne, May $\frac{7}{15}$, *Arch. des Aff. Étrangères*, lxii. fol. 133.

[2] *The Faithful Post*, E, 211, 25; Bordeaux to Brienne, May $\frac{2}{12}$, *Arch. des Aff. Étrangères*, lxii. fol. 125. "He is very kind to the old malignant party, and some have found much more favour since the late dissolution than in seven years' solicitation before." Newsletter, May $\frac{6}{16}$, *Clarendon MSS.* ii. No. 1,135.

[3] *The Army Vindicated*, E, 693, 6.

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to choose persons qualified to settle the disputes of Englishmen. "If so," asks this triumphant logician, "where then will be your privilege of electing men yourselves?"[1] Another pamphleteer put the argument even more concisely, asserting it to be 'of not less than Divine institution that men fearing God should have the government.'[2]

The Congregational Churches asked to send in names.

After the check inflicted by Fairfax's refusal to take part in the new government, Cromwell seems to have had no choice but to comply to some extent with the views thus set forth. Letters were despatched in the name of the General and the Council of the Army to the Congregational Churches in each county, asking them to send in the names of a definite number of persons whom they considered fit to be members of the new representative,[3] which, to use the language of the Venetian minister, was at the same time 'to be, and not to be, a Parliament.'[4]

Delay breeds distraction.

Until the return of the answers no forward step could be taken, and the uncertainty of the position bred distraction not only amongst the people but in the very counsels of the military leaders.

Harrison distrusts Cromwell,

In his heart Harrison remained distrustful of Cromwell. Unused to qualify his own enthusiasm by political considerations, he could not understand that a man might himself be deeply religious and yet fear to place the government of the Commonwealth in the hands of excitable fanatics. "Harrison," it was said,

[1] *A Warning-piece discharged*, E, 697, 11.

[2] *The Army no Usurpers*, E, 697, 13.

[3] The letter can only be conjecturally described from the answers to it. It is called a private letter from Cromwell by the writer of a newsletter of May 13, *Clarendon MSS.* No. 1,153, but this must be a mistake. The first dated answer is that from Bedfordshire (*Milton State Papers*, 92), written on May 13, which would imply a date of May 6 or 7 for the letter itself.

[4] Pauluzzi to Morosini, May $\frac{13}{23}$, *Letter Book R.O.*

no doubt with the exaggeration natural to a hostile witness, "sticks close to the gathered Churches, and . . . neglects no opportunity, either public or private, to preach unto them his revelations, as he calls them, whereof one lately was . . . that the Spirit told him that it was impossible to settle this government but in a monarchical way, and it was revealed unto him that there would speedily be a king again, but not one of the former race, nor such carnal persons as some eminent in present power, but a man after God's own heart, and a king anointed with the Spirit." It is unnecessary to follow the reporter in his argument that, as Harrison often struck his breast to give emphasis to his fiery harangue, he implied that he was himself the ruler whose advent he predicted. It is enough to note his desire that the place should not be occupied by Cromwell. Feake, a wild Fifth-Monarchy preacher, spoke out more plainly at Christchurch in Newgate Street. "Although the General," he declared, "had fought their battles with success, yet he was not the man that the Lord had chosen to sit at the helm."[1]

advocates a monarchy,

but neither in the hands of Charles or Cromwell.

Feake's sermon.

The impression that the days of personal government were returning was gaining ground, and there were some who fixed their eyes on Lambert. Lambert was now the ruling spirit in the Council of State, and though his following amongst the officers was less than that of Cromwell, he was much looked up to as a Yorkshire man by those from the northern counties, and was the idol of the common soldiers, who admired his military skill, and who probably held him to be a more comprehensible personage than Cromwell. In their grievances about the non-payment of arrears they could count upon him as an advocate, and they were

Lambert's position.

[1] Newsletter, May $\frac{13}{23}$, *Clarendon MSS.* ii. No. 1,153.

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not likely to mark his poverty of ideas, his readiness to be drawn aside by personal considerations, and his disinclination to commit himself to any distinct line of action. 'Bottomless,' had been the epithet which Cromwell had fixed on him some weeks before.[1] Lambert, it was now said, was 'an unfathomed person,' still undeclared, and consequently most to be feared.' What he disliked, however, was clearly known. He disapproved of Harrison's rantings, and he disapproved of a proposal—we may wish to think it the outcome of Cromwell's generosity—to admit Vane to the new Representative. If that were done, he frankly told his associates, he would absent himself from their councils.[2] Some of the Royalists, hopeless of regaining their position without military assistance, were inclined to expect great things from Lambert. They remarked 'that he had not his hand immediately in the last King's blood; that he is not severely of any opinion in religion inconsistent with monarchy, neither is his interest made up of any such; that he is a gentleman born, and many of his kindred and friends formerly of that party; that he is a man learned and well qualified, of courage, conduct, good nature, and discretion.'[3]

Hopes of the Royalists from him,

and from Cromwell.

With even less foundation other Royalists fixed their hopes on Cromwell. His evident desire to win them over to the Commonwealth by taking their complaints into favourable consideration seemed to them to be capable of no other explanation than that he was anxious to restore the exiled King. At last, a Welsh Royalist fanatic, a certain Rhys ap Evan, who, to

[1] See p. 191.

[2] Newsletter, May $\frac{13}{23}$, *Clarendon MSS.* ii. No. 1,153. "Though," it is added, "Sir Henry doth most humbly sue for it." Can this be true?

[3] *Ib.* Compare on Lambert's position, the later newsletter of May $\frac{20}{30}$, *ib.* No. 1,164.

suit English ears, styled himself Arise Evans, called on Cromwell to set King Charles on the throne that his own seed might live for ever.[1] Cromwell replied by committing Evans to prison. Yet he could not silence the rumour that he was fully purposed to restore the old line. Mazarin, it was even said, had proposed that Charles should buy his throne by marrying Cromwell's daughter, and by making his father-in-law a Duke and Lord Deputy of Ireland.[2]

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Not on such gauds as these was the heart of the great warrior set. "What," he had asked some months before, "if a man take upon him to be a king?"[3] The thought cannot have been far distant from him now, and it certainly was not distant from those who yearned for a strong hand to beat down greed and faction, and who, wiser than Lambert's partisans, were aware that there was but one man in England capable of filling the throne of a new monarchy. It was taken for granted that Cromwell intended to rule, and the only question appeared to be whether he was to be styled King or Protector. One day early in May his second and ablest son, Colonel Henry Cromwell, having come over from his command in Ireland to be married, was strolling about Spring Gardens, when shouts of "Room for the Prince!" were raised amongst the crowd. In Kent, Essex, and Wiltshire petitions were being signed to ask Cromwell to assume the protectorate. Even in the City of London a similar petition was in circulation.[4] On May 19 a gentleman stepped into

Will Cromwell make himself a king?

Henry Cromwell saluted as Prince.

Petitions asking Cromwell to be Protector.

[1] *Petition of Arise Evans*, MS., E, 697, 3.
[2] Newsletter, May $\frac{20}{30}$, *Clarendon MSS.* ii. No. 1,164.
[3] See p. 174.
[4] Newsletters, May $\frac{13}{23}$, $\frac{20}{30}$, *Clarendon MSS.* ii. Nos. 1,153, 1,164.

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the Exchange and hung up a picture of Cromwell, with three crowns, and the words 'It is I' above, and underneath the lines—

May 19. Verses set up in the Exchange.

"Ascend three thrones, great Captain and Divine:
By the will of God, O Lion, for th' are thine.
Come, priest of God, bring oil, bring robes and gold,
Bring crowns and sceptres, it's now high time; unfold
Your cloistered bags, you state cheats, lest the rod
Of steel and iron of the king of God
Chastise you all in's wrath; then kneel and pray
To Oliver, the torch of Zion, star of day.
Then shout, O merchants, cits and gentry sing,
Let all men bare-head cry, God Save the King!"[1]

Cromwell and the Lord Mayor.

The Lord Mayor, half frightened, took the picture down and carried it to Cromwell, offering either to restore it to its place or to treat it in any other way as he might please to direct. Cromwell did but laugh at the poor man's anxiety to please, telling him that such things were but trifles, not fit to be considered in such serious times. The world, which hoped to surprise Cromwell's secret, was left unresolved. At last the gossips fancied that they had attained their end. Cromwell was in the habit of walking in St. James's Park with his friends, and either because of his position at the head of the army or because they regarded him as at least temporarily at the head of the State, they had been accustomed to salute him by raising their hats when he turned round, according to the etiquette observed in the Court of the late King. One day, however, one of them, forgetting to remove his hat, Cromwell reminded him that Buckingham, having kept his hat on before the King on a similar occasion, had it promptly knocked off by a raw but

A scene in St. James's Park.

[1] Verses, *MS.* E, 697, 16. They are given with slight variations in the Clarendon Newsletter of May $\frac{20}{30}$, and in the *Tanner MSS.* lii. fol. 13.

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too zealous Scotchman who had appeared at Court for the first time.[1]

Cromwell's course fixed for the present.

It is unlikely that Cromwell intended to do more than convey an impression that he meant to be treated in accordance with the claims of the dignified position he then held. He had already marked out his course, and he was not the man to change his line without reason. That that line was a mistaken one he afterwards acknowledged as fully as any of his opponents. Yet he never acknowledged that one cause of his failure was his inability to understand the strength of the conviction with which the English people clung to its parliamentary institutions. It is perhaps hardly strange that it was so. The later proceedings of the Long Parliament had left those institutions under a cloud, and, so far as we know, no voice was raised to warn Cromwell, as Monk was warned seven years later, that the nation would only be satisfied with the election of a free Parliament. Presbyterian ministers preached for the restoration of the old line, and one of their number asked God's forgiveness for the sin of rebellion, but not one of them either prayed or preached for a general election.[2]

May 20. A City petition for the restoration of the Parliament.

At last, on May 20, a petition, which had been for some time hatching in the City under the influence of the old members, was presented to Cromwell. It was signed by six aldermen and thirty-one common councillors. After an exordium in which the services of the General and the army were extolled, the petitioners turned to the subject they had most at heart. "We therefore," they said, "humbly conceive ourselves bound . . . to represent to you . . . the sad condition of this nation, which seemeth as in one day to be deprived of its ancient liberty, to wit

[1] Newsletter, May $\frac{20}{30}$, *Clarendon MSS.* ii. No. 1,164. [2] *Ib.*

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being governed by Representatives chosen by themselves, which in all ages since England hath been civilised the people have been so constantly addicted unto, as that notwithstanding the various changes of their kings and the exercise of their kingly power, even when they achieved it by conquest, there hath been ever found a necessity of governing this nation by Parliaments. Whereupon we cannot but hope and do believe it is the earnest desire and expectation of thousands well affected in this City that so ancient and so useful a privilege, the birthright of this nation, will be tenderly preserved in your counsels as it hath been resolutely maintained by your bloods." Had the petitioners stopped here, or had they added a request that some means might be taken for summoning an elective instead of a nominated Parliament, they might have asked what Cromwell might refuse to grant, but they would have asked nothing of which he could reasonably complain. As it was, they proceeded to ask that the old Parliament should again be placed in the seat of authority at Westminster, 'for the settlement of successive representatives.' No wonder Cromwell rated the petitioners soundly, or that he obtained an order from the Council directing the dismissal from the Committee at Haberdashers' Hall of the only three of them who drew pay from the State.[1]

May 28. Members' names discussed in the Army Council.

On May 28 the replies from the Churches in the country having fully come in, the Council of the Army sat from day to day to select the persons to be nominated, and, if necessary, to substitute others for those on the lists. There was free discussion, and the lowest officers had as much opportunity to pro-

[1] *Petition with Council Order*, MS. E, 697, 18. Newsletter, May 27, June 6, *Clarendon MSS.* ii. No. 1,185.

pose a name as the highest.[1] Only for three counties, Bedfordshire, Kent, and Suffolk, have the original lists been preserved, and of the thirteen names contained in them four were replaced by others when the lists were finally made up.[2] It is therefore evident that the Army Council exercised a real supervision, and we may perhaps conjecture that it is to this that men like Anthony Ashley Cooper owed their inclusion in the projected assembly. For some time Fairfax remained undecided whether he should sit or not. As late as on June 20 his name is to be found in a printed list of the members, and it was only four or five days later that he left town, having finally made up his mind to abstain.[3] It seems, too, that another attempt was made to attract Vane, who replied that though the reign of the saints was about to begin, he preferred to take his share of it in heaven. Yet he came up to London, and it was for some time expected that he might be won over. In the end, however, he was excluded, either on account of his own resolution, or because Lambert still barred the way.[4]

Hesitation of Fairfax

An overture to Vane.

By the beginning of June, however, the roll was made up. There were to be 129 representatives of England,[5] and to these were to be added five for

[1] *The True State of the Case of the Commonwealth*, E, 728, 5.

[2] The people of Bedfordshire to Cromwell and the Army Council, May 13; the Churches in Suffolk to Cromwell, May 19; the Churches in Kent to Cromwell, May 25. *Milton State Papers*, 92, 94, 95. The people of Henley-on-Thames nominated one member who was not accepted (*ib.* 95), but for all we know the members who were accepted may have been nominated by other places in the county.

[3] Newsletters, June 10, 24, *Clarendon MSS.* ii. 1,213, 1,234; *Merc. Britannicus*, E, 701, 10.

[4] Newsletter, May 27, *Clarendon MSS.* ii. No. 1,185.

[5] It looks as if it was intended to have 130 members for England, one place being kept open for Fairfax, and that if he had accepted

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Scotland and six for Ireland. The five Scotchmen were taken from those least averse to the English Government; the six Irishmen, if so they may be styled, were four English officers who had fought in Ireland, Daniel Hutchinson, a Dublin alderman,[1] and Vincent Gookin, the son of a typical English adventurer, who was himself one day to show that it was possible for one of English descent to be touched by the sorrows of Irishmen. For the first time in history a body was to meet in the name of the three peoples, but neither Scotland nor Ireland, any more than England, had been asked whether they wished to be so represented or not. In no real sense was there a Union at all.

Character of the writ.

Each of the 140 writs bore the character of the new Representative on its face. "Forasmuch," ran the summons, "as, upon the dissolution of the late Parliament, it became necessary that the peace, safety, and good government of this Commonwealth should be provided for; and in order thereunto, divers persons fearing God and of approved fidelity and honesty are, by myself, with the advice of my Counsel of Officers, nominated; to whom the great charge and trust of so weighty affairs is to be committed; and having good assurance of your love to and courage for God and the interest of his cause and of the good people of this Commonwealth: I, Oliver Cromwell, Captain General and Commander-in-Chief of all the armies and forces raised and to be raised within this Commonwealth, do hereby summon and require you to be and appear at the Council Chamber at Whitehall upon the fourth

there would only have been five members for Ireland as originally proposed.

[1] *Bethshemesh Clouded*, E, 722, 3.

day of July next ensuing the date hereof; then and there to take upon you the said trust; unto which you are hereby called and appointed to serve as a member for the County of . And hereby you shall not fail." [1]

Cromwell's first appearance as a constructive statesman.

It was Cromwell's first attempt at a constructive policy. Whether it was to fail or to succeed, it may at least be noted that it sprang not from his own brain but from that of Harrison. Cromwell after some hesitation accepted it, and after modifying it so as to render it more palatable to the world, promulgated it as his own. It was at least the scheme with which he was in the greatest sympathy for the moment. With little reverence for the principle on which parliamentary institutions rest, he was keenly alive to the religious aspect of each question as it arose, and prepared to think that pious and honest men might drag the Commonwealth out of the slough into which it had sunk. He was hardly imaginative enough to perceive, till he was taught by bitter experience, that pious and honest men are not always wise, and that in any case the rule of men basing their claims to government on their selection by soldiers and religious enthusiasts is hardly likely to commend itself to the goodwill of a high-spirited nation.

Cromwell intends to lay down his power.

There can be little doubt that Cromwell regarded his own unique position as purely temporary, and that he looked forward to a time when the nation

[1] *Carlyle* after Letter clxxxviii. The writ there printed is dated the 6th and addressed in the original (*S. P. Dom.* xxvii. 37) to Praise-God Barebone. Probably this was a specimen writ, as Barebone was alphabetically first on the list. The writs prepared to be sent out were dated on the 8th. *S. P. Dom.* xxxvii. 37, 38. The name is there spelt as I have given it. Whether he called himself Barebone or Barbone is of no consequence.

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should be once again under civilian government. He did not even attempt to curry favour with the reformers by anticipating that relief from legal and ecclesiastical grievances which, as he hoped, would be the earliest work of the new assembly. The Council of State, of which he was himself a member, and which was raised in number to thirteen in May, contented itself, as far as possible, with the transaction of current business. It was scarcely an exception that it ordered an investigation into the grievances of the prisoners under the custody of Sir John Lenthall,[1] or that it appointed a committee to report on a scheme for the better management of the Treasuries.[2] Nor did the Council assume too much upon itself by ordering the complete suppression of bear-baiting and bull-baiting at Southwark and elsewhere, appointing certain persons, of whom Colonel Pride was one, to see the order put in execution. The order was grounded not, as has been often repeated, on Puritan aversion to amusements giving 'pleasure to the spectators,' but upon Puritan disgust at the immorality which these exhibitions fostered.[3]

Work of the Council of State.

[1] *Mod. Intelligencer*, E, 697, 4.
[2] C. of St. Order Book, May 14, *Interr.* I, p. 75.
[3] *Ib.* May 5, *Interr.* I, 69, p. 27.

CHAPTER XXVII.

THE NOMINATED PARLIAMENT.

On July 4 the nominees of the officers and the Independent Churches assembled in the Council Chamber at Whitehall. With his officers on either hand, the source of the authority with which the members were about to be invested,[1] Cromwell expounded the causes which had led to the summons of a body so ill-suited to the constitutional practice of England. He was, however, in no exculpatory mood. With a heart swelling with enthusiasm, he based the action of himself and his officers not on any constitutional foundation, but on the new divine right—the divine right of victory. "We," he said, after a few introductory words, "have not thought it amiss a little to remind you of that series of providences wherein the Lord hath appeared, dispensing wonderful things to these nations from the beginning of our troubles to this very day." Success in the late war, he argued, had been owing to 'a poor and contemptible company of men,' and had been achieved simply by their owning a principle of godliness and religion. Nor was it only in

July 4. Meeting of the nominees.

The opening of Cromwell's speech to them.

[1] I believe the usual statement that two, and only two, members absented themselves, to be founded on a mistake. Two on the list first made up by the officers were not on the final list. I take these to have been Fairfax and another.

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war that God's presence had been manifested. In the political changes—the pulling down of one authority and the setting up another—His providence had been conspicuously seen. Then implying that those whom he addressed were placed where they were by God rather than by man, after a long invective against the misdeeds of the late Parliament, he launched forth into an exhortation to those whom God had chosen for His great work. It was one of the great 'issues' of all that had taken place that God's people should be called to the supreme authority. No such authority had ever before been entrusted to men on the ground that they owned God and were owned by Him.

Cromwell on elected Parliaments.

Yet Cromwell could not but feel that the extraordinary course which he had adopted was too strongly opposed to the national habits to be permanently accepted. He had himself, before the dissolution of the Long Parliament, recommended the constitution of a small governing body merely as a temporary experiment,[1] and even under the gusts of strong emotion he could not entirely throw common sense aside. Some time, he added, and the sooner the better, the people would be fit to exercise the liberty of election, and what better way was there to make them fit than by exhibiting before their eyes a Government whose humble and godly conversation might win them to the love of godliness. "At least . . . convince them that, as men fearing God have fought them out of their bondage under the regal power, so men fearing God do now rule them in the fear of God, and take care to administer good unto them." With much quotation from the Psalms, Cromwell ended in a dithyrambic fervour, blessing

[1] See p. 202.

the work which the chosen saints were to execute to the honour of God.[1] Harrison himself could not have addressed them in ecstasy more rapt.

Cromwell resigns his dictatorship.

Then followed the prosaic business of the day. After informing the members of the assembly that the Council of State only held office during their pleasure, he caused an instrument to be read devolving on them the supreme authority till November 3, 1654, and directing them to choose, three months before their dissolution, another assembly to succeed them. This second assembly was to sit for a twelvemonth only, and in that time to make provision for a further 'succession in government.'[2] It was only natural that Cromwell's right to devise the government of England should not pass unquestioned. Was one man, it was asked, to grant supreme power away under his hand and seal?[3] Cromwell himself could not even appreciate the objection. The spirit of the Fifth Monarchist was strong within him, as he rushed forward into the unknown future as impetuously as he had charged at Marston Moor or Naseby. Yet those who cared to remember how he had drawn rein on the battlefield, and had looked back to survey the course of the struggle behind him, might safely predict that the time would come, perhaps at no distant moment, when his practical sense would regain the mastery, and he would ask himself whether the work of those whom he now lauded as the instruments of divine providence had answered in reality to his glowing anticipations.

His position and hopes.

On the following day, July 5, the assembly

[1] *Carlyle*, Speech I.

[2] *The Faithful Post*, E, 215, 20.

[3] Newsletter, July 15, *Clarendon MSS.* ii. No. 1,277.

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which had thus strangely entered on the possession of supremacy over the three countries took up its quarters in the old House of Commons. Its first act, 'after seeking God by prayer,' was to elect a Speaker. Its choice fell on Francis Rous, the author of that prosaic metrical version of the Psalms which, after suffering considerable changes, has cast its spell over the Scottish Church through many generations.[1] Having thus constituted itself, the Assembly invited Cromwell, Lambert, Harrison, Desborough, and Tomlinson to take their seats as members on its benches. On the 6th it resolved, though only by sixty-five to forty-six, to assume the august name of Parliament.[2] As the tellers of the minority were both members of the Council of State, it is probable that it was the wish of that body, and perhaps even of Cromwell himself, to mark by a less familiar title the exceptional character of the assembly. The temper in which the House met was shown in a resolution passed on the 7th, that no one should be employed in its service unless it were first satisfied of his real godliness, and by a call to the people of God to seek a blessing upon the counsels of Parliament.

July 5. First acts of the assembly.

July 6. It assumes the name of Parliament.

July 7. All the servants of the House to be godly.

[1] See David Laing's note to *Baillie*, iii. 532, 549.

[2] Curiously enough it is said in *An Exact Relation* (E, 729, 6, p. 3) that 'the lowness and innocency of that title, having little of earthly glory or boasting in it, induced some to give their votes for that.' I suppose this is in contradistinction to some such title as 'the Governors of England' implying authority. This tract in defence of the proceedings of this Parliament is reprinted in the *Somers Tracts*, vi. 271. Its authorship was attributed to Praise God Barebone himself by Mr. Firth (*Ludlow*, i. 366, note). He now thinks it to be the work of Samuel Highland, the initials L. D. on the title-page being the last letters of the two names. Compare N. LL. for John Hall on the title-page of a tract attributed with hesitation to Milton by Professor Masson. See Mr. Firth's letter in the *Athenæum*, Feb. 6, 1897. The nickname of Barebone's Parliament was not, as far as I have been able to discover, given contemporaneously.

It then invited the nation to join on an appointed day in a 'service of prayer on behalf of those who had been entrusted with so great a burden of government.' The Long Parliament in like case would have issued an order. The nominated Parliament had too much respect for individual consciences to do more than issue a request.[1]

July 8–14. A Council of State appointed.

In constituting an executive government the new Parliament decided to establish a Council of State, consisting of thirty-one members, to hold office only till November 3. To the thirteen who sat on the last Council were added eighteen, all of them—except Fleetwood, who was absent in Ireland—being members of the House.[2] There were several military members of the Council, but the civilian element again predominated. Cromwell being member of both Council and Parliament regained a position in the centre of affairs. In a Declaration issued on the 12th, the House announced its assumption of the name of Parliament, and invited the prayers of the godly in support of its efforts to promote righteousness and curb oppression.[3] By this time the mace had been recovered from Colonel Worsley's house, in which it had remained since the dissolution in April.[4]

July 12. Issue of a Declaration.

Committees appointed.

For some days the House busied itself with the appointment of committees, formed for various objects already marked out by public opinion as being ripe for consideration. One was to examine into the various treasuries, and to reduce them to a single office, as well as to report on the best way of calling to account persons who had received money from the Commonwealth, or, in other words, those who were suspected of malversation as members or officers of

[1] *C.J.* vii. 281, 282. [2] *Ib.* vii. 282–285.
[3] *Declaration*, July 12, E, 1,062, No. 4. [4] *C.J.* vii. 282, 284.

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the late Parliament. Another was to look into the results of the obligation to take the Engagement. To a third and fourth were attributed the subjects of law reform, and of the poor; whilst a fifth was to take into consideration the debt of the Commonwealth, and to 'receive accusations of bribery, public frauds, and breach of public trust.'[1]

July 15. Failure of an attempt to abolish tithe.

Parliament next took into its own hands a subject of pre-eminent importance. On July 15 an attempt was made to sweep away tithe without further question by a proposal that no minister should receive his maintenance from tithe after November 3. The House, however, refused by sixty-eight to forty-three to put this drastic resolution to the vote, though it subsequently discussed the legal question whether incumbents and lay-impropriators had a property in tithe or not. After the question had been narrowed so as to include incumbents only, it was decided by a majority of fifty-six to forty-nine that it should be referred to a committee.[2] The division showed that there were already two parties in the House, one of a more reckless spirit than the other. It is significant that in both divisions Harrison was one of the tellers for the minority, whilst Cooper told on the winning side. Cooper's abilities had already given him a leading place both in the Council and in Parliament, and his influence was certain to be exercised in moderating the demands of extreme theorists. Yet even the moderate party was prepared to advocate changes which, in any other assembly, would have been regarded as sweeping. They were ready, for instance, to put an end to the tithe system provided that lay-impropriators were

Two parties at issue.

[1] *C.J.* vii. 283, 286.

[2] *Ib.* vii. 284–286. Compare *An Exact Relation*, p. 4, E, 729, 6.

compensated for the loss of their property, and that some other provision should be made for ministers before tithe ceased to be paid. To the idea of a clergy paid by the voluntary offerings of their congregations they were resolutely opposed.[1] There can be little doubt that in this Cooper and his party represented the mind of Cromwell.

Unpopularity of Chancery.

The unpopularity of the tithe system, with all its hardships and inequalities, was hardly, if at all, greater than the unpopularity of the Court of Chancery. The delays of that Court were notorious and the rapacity of its officials beyond dispute.[2] So strong was the feeling against it that on August 5, after a single day's debate, the House voted its abolition without a division, referring it to the Committee of Law not only to bring in a Bill to carry out this resolution, and to report how pending suits might be disposed of, but also to consider in what manner the equitable jurisdiction of Chancery was to be exercised in the future.[3] The intention was good, but it can hardly be doubted that the House, to which not a single practising lawyer had been admitted, underestimated the difficulty of supplying the place of a system of law which had grown up in the course of centuries.

Its abolition voted,

but provision to be made for the future.

It was obviously far easier to replace the Ecclesiastical Courts in their civil functions now that they

[1] "Most of them seeming to vote them down as any conveniency can be had for the satisfying the impropriators, and finding some convenient maintenance for the ministry." *The Impartial Intelligencer*, E, 706, 2.

[2] "'Tis very fit the extorting examiners and griping six clerks should suffer; for I think it was chiefly the excessiveness of their fees and the abuse of spinning out copies to so immoderate a length that rendered that Court so burdensome." Letter from Cambridge, Aug. 12, *Merc. Classicus*, E, 710, 2.

[3] *C.J.* vii. 296.

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had for some years ceased to exist, and there were, therefore, none to cry out for their continuance. One of the last acts of the Long Parliament had been to appoint commissioners to grant probate of wills.[1] The new Parliament applied itself to the regulation of marriages. On August 24 it passed an Act declaring that only marriages solemnised before a Justice of the Peace would be recognised by the State, thus putting an end to all difficulties arising from defective registration. As the Act contained no word prohibiting the parties from having recourse to such religious ceremony as they thought fit, whether before or after the official union, there was nothing in it to give offence to any reasonable person who refused to regard marriage as a purely civil institution. To this Act were appended clauses establishing parochial registers of births, marriages, and burial. An attempt to foist upon it a clause providing for divorce in cases of adultery was not even carried to a division.[2]

April 8. A Commission for granting probate.

Aug. 24. The Marriage Act.

The Parliament and Lilburne.

A governing assembly has matters to attend to outside its legislative functions, and before the Marriage Act had been passed the constitutional weakness of the position of the self-styled Parliament was brought into relief. Lilburne was once more in England, and it was certain that wherever Lilburne could raise his voice, no institution resting on the power of the sword would escape unchallenged.

Lilburne at Bruges.

After a short residence at Amsterdam, Lilburne had removed to Bruges, where he fell into the company of Hopton and other Royalist exiles. In his bitterness against the Government at home he made himself acceptable to these men, and ventilated in conversation the idea of a Royalist restoration on levelling principles, which he had professed openly

His intercourse with the Royalist exiles.

[1] *Scobell*, ii. 232. [2] *Ib.* ii. 236; *C.J.* vii. 308.

in 1649.[1] He is reported to have said that with 10,000*l.* he could easily settle Charles Stuart on the throne. He appears to have been sanguine enough to imagine that he could win the greater part of the army—to say nothing of the people—to support him in this project.[2] In a collection of his own letters published in March, he reviled Cromwell and the Long Parliament, and congratulated the country on Blake's defeat off Dunge-

He attacks Cromwell.

[1] See vol. i. 180.

[2] *Several Informations*, E, 705, 14. No doubt the informants were spies, and their evidence is to some extent tainted, but Lilburne's earlier denials, as Godwin pointed out (*Hist. of the Commonwealth*, iii. 551, note *d*), avoid direct contradiction of the main charge against him. He admitted, indeed, that he had talked with the Duke of Buckingham about the best way for him to procure leave to return to England, and also said that he 'was very familiar with the Lord Percy, the Lord Hopton, the Lord Culpepper, the Bishop of Londonderry ... and the Duke of Buckingham, with all of whom, or the highest ranting Cavalier I met with, upon all occasions of discourse whatsoever, I always maintained my own principles that at first I engaged with in the Parliament's quarrel against the late King, viz. unlimited regal prerogative and Parliament's unknown unfathomable privileges, and with them, or any of the King's party . . . I never . . . entered into the least contract, agreement, oath, or confederacy to be his agent, or to advance his ends or interests, and am as totally ignorant as a young child of the particulars of any present design of his, and never in all my days held any counsels with them or any of them for the managing of the King's designs against the interests of the land of my nativity.' *A Defensive Declaration*, p. 15, E, 702, 2. Every word of this would be literally true if, as was probably the case, Lilburne had suggested a scheme which was rejected by the Royalists. Later, when the statements made by the spies were in print, he appears to have practically told a direct falsehood. He is charged, he says, with offering to the Cavalier 'upon the procurement of 10,000*l.* to destroy the Lord General, the Parliament, and Council of State, and that (as Captain Titus informs) in half an hour.' To this charge he replies 'that never any words of this nature passed from my mouth or any such thoughts entered into my heart, the Lord the Almighty God is my witness,' *Malice Detected*, E, 705, 19. It is true that Titus said nothing about 'half an hour,' but this slight alteration of the words does not exonerate Lilburne. It may be accepted that Lilburne when engaged in a battle for his life did not scruple at falsehood.

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May 3. He resolves to ask leave to return home.

June 14. Lilburne at Moorfields.

ness.[1] Yet when news of the dissolution reached him he resolved, in forgetfulness of the effect of his violent words, to petition Cromwell for leave to return to England. Receiving no answer, he crossed the Channel, and on June 14 settled in lodgings in Moorfields. His first step was to petition Cromwell and the Council of State for leave to remain unmolested. He assured them of his intention to live peaceably, and excused the wild language of his recent letters on the ground of his passionate temper.[2]

June 15. He is arrested,

June 16. and committed to Newgate. His prosecution ordered.

Lilburne did not long remain at large. On the 15th the Lord Mayor committed him to the custody of one of the sheriffs. On the following day the Council of State ordered his transference to Newgate, and directed the Attorney-General to prosecute him. As an Act of the late Parliament had declared him guilty of felony upon his mere return to England, there seemed little doubt that his enemies had now prevailed against him, and that he would be hanged out of hand.[3]

Probable irritation of Cromwell and the Council.

That Cromwell and the Council of State had taken this step in a moment of irritation is probable enough. The apparition of the advocate of popular rights at the moment when a few nominees of the army were about to take the government of England on their shoulders must have been sufficiently annoying, and Cromwell was, more than most men then living, apt to underestimate the constitutional strength of Lilburne's position. He had soon to learn that there was a side of the question on which he had failed to reckon. In a second petition which Lilburne drew up before leaving the sheriff's house in obedience to

A second petition.

[1] *Lieut.-Col. Lilburne Revived*, E, 689, 32.

[2] *The Banished Man's Suit*, June 14, 669, p. 17, No. 16.

[3] *Several Proceedings*, E, 215, 3; C. of St. Order Book, *Interr. I*, 69, p. 323.

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the Council's order, he denied the right of the late Parliament to sentence him to death by an *ex post facto* enactment for his part in presenting a petition which was condemned by no law, and that, too, without hearing him in his own defence. If this were to stand as a precedent, every Englishman would be at the mercy of the Government of the day.[1] Lilburne's appeal was the more telling as Cromwell and those who acted with him had made a strong point against the late Parliament of its readiness to interfere in matters which ought to have been left to the law.

Proceedings to be taken.

Cromwell replied that Lilburne should have a fair trial, and the 21st was fixed for the proceedings against him in the Upper Bench.[2] Fearing that the Court would make short work of his case, Lilburne, in a third petition, asked that action might be postponed till the new Supreme Authority had assembled, and had taken into consideration his demand for a judicial investigation into the charges brought against him in the dissolved Parliament.[3] This request being at once granted, Lilburne employed the interval thus gained in circulating his petitions, and in protesting that he had not entered into any combination with Charles Stuart. These papers having been seized by the City authorities, he published a long tirade against his oppression by the Council of State.[4]

June 20. A third petition.

Proceedings suspended.

July 13. Lilburne at the Old Bailey.

On July 13, Parliament having made no sign, Lilburne was brought for trial to the bar of the Old Bailey. When he found that the Court intended to

[1] *A Second Address*, 669, p. 17, No. 20.

[2] *The Faithful Scout*, E, 215, 2.

[3] *The Weekly Intelligencer*, E, 703, 1; Theodorus to Conway, June 23, *S. P. Dom.* xxvii. 134.

[4] *The Prisoner's most mournful Cry*, E, 703, 12; *Lieut.-Col. Lilburne's Plea at Law*, E, 703, 12.

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put the simple issue to the jury whether he had returned to England or no, he exerted all his powers of delay, refusing to plead until his legal arguments had been met or admitted, in the hope of obtaining a favourable answer from Parliament to a petition which he had presented on the morning of the commencement of his trial. From his judges he actually succeeded in wringing a copy of his indictment, an advantage which no prisoner at the bar had ever secured before, and when he had obtained it he found so many objections to urge against it that on the 16th, the last day of the session, his trial was still unfinished, and was of necessity adjourned. The prisoner had with him the sympathies of the populace, and whenever he was pressed hard he threatened to appeal to the people, a threat to which the authorities replied by occupying the approaches of the Court House with an armed force to place his judges at their ease.[1]

He petitions Parliament.

July 16. The case adjourned.

July 13. Lilburne asks Parliament to suspend his trial.

In the meanwhile Lilburne's petition was being discussed in Parliament. On the 13th, the day on which it was presented, the Council of State made a counter move, laying before the House a number of depositions on his offers to the Royalists,[2] which they circulated afterwards amongst the ranks of the army and the general public. It is possible that but for these disclosures the House would have listened to Lilburne's request for the suspension of his trial in order that the charge upon which he had been banished might first be submitted to a judicial investigation. As it was, though several voices were raised in his favour, Parliament finally decided to take no action.[3]

July 14. Parliament refuses to take action.

[1] *The Trial of J. Lilburne*, E, 708, 3. [2] *C.J.* vii. 284.
[3] *Ib.* vii. 285; *An Exact Relation*, p. 5, E, 729, 6.

The time gained by the adjournment of the trial was used by Lilburne's partisans to scatter appeals to the people in his favour, and to urge Parliament to show mercy.[1] On July 30 a pamphlet, probably from Lilburne's own pen,[2] asserted the right of the people to call to account the officials charged with the administration of the law. On August 2 a petition in the name of the young men and apprentices of London and the neighbouring places drove the weapon home. Telling Parliament that it 'wanted the legal, formal election by the people,' they pointed out that there was but one way in which it could remove the blot—by doing justice to the oppressed. "When," they continued, "upon any respect you decline such works, you decline your own being; and when you cease from doing of them, do you not cease also from being a Parliament?"[3] The reply of Parliament was to commit to prison the six youths who tendered the petition, and to order that Lilburne himself should be restrained in close confinement.[4]

July 30. Lilburne appeals to the people.

Aug. 2. A violent petition.

On August 10 the trial was resumed, but it made little or no progress till the 19th, when the prisoner was told plainly that, if he still refused to plead, he would be pressed to death in accordance with the law then existing.[5] On the 20th Lilburne, having put in a plea of 'Not guilty,' a jury was at last impannelled. Its duty according to the expressed opinion of the Court was simple enough. An Act of Parliament had declared that Lilburne would be a felon if he returned to England. All that was

Aug. 20. A jury impannelled.

[1] *The Weekly Intelligencer*, E, 706, 1.
[2] *O Yes! O Yes! O Yes!* E, 708, 7.
[3] *Petition*, Aug. 2, 669, f. 17, No. 38.
[4] *C.J.* vii. 294.
[5] Newsletter, Aug. 23, *Clarendon MSS.* ii. No. 1,352.

CHAP. XXVII. 1653 Lilburne's defence.

incumbent on the jurymen, therefore, was to take note of the fact of his return, and a verdict of guilty would of necessity follow. In defending himself against this direction of the Court, Lilburne asserted that he was not the Lieutenant-Colonel John Lilburne mentioned in the Act, apparently either on the ground that he had ceased to be a lieutenant-colonel when he left the army in 1645, or merely to throw the burden of proof on the prosecution. According to a hostile witness, he went further still, saying, "I call Jehovah to witness, and do here protest before God, angels, and men, I am not the person intended to be banished by the Act."[1] Whether, however, Lilburne told a positive lie or merely prevaricated is of little general interest. There is no doubt that he asserted that the jury were judges of law as well as of the fact. His most telling arguments were probably those with a more personal flavour. If Cromwell, he reasoned, had turned out the late Parliament justly, its unjust actions ought not to be maintained; if unjustly, Cromwell ought to be punished.[2] He asked, too, whether 'if I die on the Monday, the Parliament on Tuesday may not pass such a sentence against every one of you twelve, and upon your wives and children; and then upon the

[1] The statement appears in *Lilburne Tried and Cast*, p. 137 (E, 720, 2), an official narrative of the proceedings against Lilburne, combined with a sharp attack on his character. It was written, according to Thomason, by 'Cann the Sectary,' but it probably derived its quotations from Lilburne's speeches as presented in the notes in shorthand laid before Parliament on Aug. 27 (*C.J.* vii. 309). Shorthand was not in an advanced state in those days, and we cannot be quite certain of the verbal accuracy of the notes, but it is highly probable that they represent fairly what Lilburne said, and that, believing as he did that he was being unfairly driven to the gallows, he was quite ready to lie openly. At the same time, it must be acknowledged that the lie was one that could have deceived nobody.

[2] Pauluzzi to Morosini, Aug. $\frac{20}{30}$, *Letter Book R.O.*

rest of this city; and then upon the whole of the county of Middlesex; and then upon Hertfordshire; and so by degrees there be no people to inhabit England but themselves.'[1] He concluded by a warm appeal to the jury to be merciful to him as they sought for mercy themselves.[2] The jury listened to his pleading, and after a prolonged absence returned a verdict of 'Not guilty of any crime worthy of death.'[3]

The verdict.

So far as the law was concerned the jury had plainly overstepped their functions. It was not their part to be judges of the law, or in any way to go behind an Act of Parliament. Yet modern jurists who condemn the verdict, fail to take into account the special circumstances of the case. In the first place, the Act of Parliament on which the proceedings were taken emanated from a body to which, as being a single House, the usage of centuries denied the name of Parliament. In the second place —and this is of far greater importance—the circumstances under which the Act was passed were such as to raise grave suspicions against its justice. Lilburne's violent attack on an influential member upon which that Act was grounded could scarcely excuse the action of the House in sentencing him to banishment, on pain of death in the case of his return, without hearing him in his own defence. It is possible—perhaps even probable—that Lilburne was entirely in the wrong in his charge against Hazlerigg. It was none the less a monstrous proceeding to expose a man to the gallows for a breach of privilege,

Are the jury judges of the law?

[1] *Lilburne Tried and Cast*, p. 136, E, 720, 2.

[2] Newsletter, Aug. 26, *Clarendon MSS.* ii. 1,352.

[3] *The Trial of . . . John Lilburne . . . the 19th and 20th of August*, E, 711, 9.

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without any judicial proceedings whatever to determine whether he had committed a crime or not.[1] The fact is that a legal maxim, such as 'juries are not judges of the law,' is simply accepted because more injustice is likely to be done if they assumed the power of interpreting the law than if they did not. No such case as that of Lilburne could possibly arise now, because no Parliament would now dream of passing such an Act as was passed in Lilburne's case. Against such proceedings the conscience of all disinterested men protests, and it was to this conscience that the jury gave voice in the verdict they delivered.

Loud applause from the spectators shared by the soldiers.

That verdict was received with loud acclamations by three or four thousand spectators. It was of vastly more importance to the Government that the very soldiers who had been placed to guard the Court joined in the shouts, beating their drums and sounding their trumpets in spite of the orders of their officers, as they passed along the streets returning to their quarters.[2] As might have been expected, the Government made up its mind not to set the prisoner at liberty in such a turmoil, and Lilburne, in spite of his acquittal, was retained in durance. On the 23rd the jurymen were summoned before the Council and examined as to their motives. Some refused to answer; others replied that they did not believe the prisoner at the bar to be the person named in the Act; others again, that they conceived themselves to be judges of law as well as of fact.[3] The Council was too prudent to

Lilburne retained in custody.

Aug. 23. The jury questioned.

[1] The Act of Parliament and the proceedings on which it was founded are in E, 1,061, Nos. 61, 62.

[2] Newsletter, Aug. 26, *Clarendon MSS.* ii. No. 1,352.

[3] *Lilburne Tried and Cast*, p. 157, E, 720, 2.

meddle with them further, but Parliament refused to have the same consideration for Lilburne. The nominees of the Lord General were hardly robust enough to face a constitutional agitation, headed by the most aggressive politician of the day, and they directed the Council to secure Lilburne, 'for the peace of the nation,' upon which he was transferred from Newgate to the Tower.[1] Some weeks later, on November 21, Lilburne applied for a *habeas corpus*, but the Upper Bench refused to interfere, and on the 26th Parliament decided that his imprisonment should continue in spite of his demand.[2] If arbitrary acts are to be done at all, it is better that they should avow themselves for what they really are. Lilburne had rendered at least one service to posterity. Never again was an Englishman tried for his life on a charge which eventually resolved itself into a breach of privilege.

Aug. 27. Lilburne to be secured.

It was but natural that the proceedings against Lilburne should have drawn Cromwell and the Parliament together. The nominees by their position, and Cromwell by his temperament, found themselves ranged in line against the man whose whole life had been a protest on behalf of democratic government. Yet Cromwell could hardly fail to observe how provocative of opposition was an assembly which neither derived its powers from the nation itself, nor made good that defect by representing its tendencies. The first weeks of its sittings were marked by an evident recrudescence of Royalist feeling. Before the end of July, we hear that 'conventicles for Common Prayer' were on the

Cromwell and Parliament.

July. Recrudescence of Royalist feeling.

[1] *C.J.* vii. 309; C. of St. to the Lieutenant of the Tower, Aug. 27, *Interr.* I, 70, p. 280.

[2] *The Weekly Intelligencer*, E, 722, 6; *C.J.* vii. 358.

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increase, and that the prospects of a Restoration were freely discussed.[1] Presbyterian ministers, too, assured their admiring congregations that England would never be happy without a king.[2] In Westminster Abbey, a minister having prayed that Parliament might be guided to the settlement of a lasting peace, a young man amongst the audience cried out that this would never be till God restored King Charles.[3]

Aug. 25. A scene in Westminster Abbey.

Royalist agents arrested.

In such an atmosphere Royalist agents were likely to be active, and in the second week of August, Colonel Robert Phelips,[4] the second son of the Sir Robert Phelips who had been the spokesman of the later Parliaments of James and the earlier Parliaments of Charles, was arrested on a charge of being concerned in a plot for the surprisal of Portsmouth, whilst another Royalist, Major Fry, was implicated in a plot for the surprisal of Poole.[5] On August 10, in consequence of the detection of these designs the Council of State proposed the appointment of a new High Court of Justice to proceed against Royalist plotters without the intervention of a jury. Parliament at once directed the Council to draft the necessary Act, but though a committee was appointed for the purpose, its report was long delayed. If, as there is some reason to suppose, the opposition in the Council came from Harrison and his followers,[6] we can imagine that

Aug. 10. Proposed High Court of Justice.

[1] Newsletter, July 22, *Clarendon MSS.* ii. No. 1,294.

[2] Pauluzzi to Morosini, Aug. $\frac{7}{17}$, Sept. $\frac{2}{12}$, *Letter Book R.O.*

[3] Newsletter, Aug. 25, *Clarendon MSS.* ii. No. 1,352.

[4] For an account of him see Ludlow's *Memoirs* (ed. Firth), i. 54, note 2.

[5] Account of the examination of Phelips, Aug. 12; Newsletter, Sept. 9, *Clarendon MSS.* ii. Nos. 1,340, 1,383.

[6] It will be seen that this party was in opposition to the Act when it was finally passed on Nov. 21.

Cromwell would be embarrassed by their opposition to what he may well have regarded as a practical measure for the maintenance of order. He had, indeed, no sympathy with those extravagances which did much to encourage Royalism. He cannot, for instance, have been otherwise than disgusted at hearing that a man had preached flat atheism in Westminster Hall, uninterrupted by the soldiers of the guard.[1]

Aug. 15. Atheism openly proclaimed.

It is at this time that we first hear of Cromwell's dissatisfaction with the Parliament of his creation.[2] He may have been the more irritated because, whatever unpopularity was aroused by it, was reflected on himself as he was believed to command the movements of the puppets assembled by his orders. At Westminster the Committees resounded with strong language on the duty of abolishing tithes, and of placing the support of the clergy on a voluntary basis; whilst the preachers at Blackfriars condemned unceasingly those who upheld the connection between Church and State.[3] Nor was it only the existing ecclesiastical system that was threatened. As if the attack on Chancery had not been enough to exasperate the lawyers, Parliament proceeded on August 19 to appoint, with a light heart, a committee to codify the law, though not a single lawyer held a seat in the House.[4]

Cromwell begins to be dissatisfied with Parliament.

A voluntary system advocated for the Church.

Aug. 19. Proposed codification of the law.

[1] Newsletter, Aug. 19, *Clarendon MSS.* ii. No. 1,352.

[2] Pauluzzi to Morosini, Aug. $\frac{20}{30}$, *Letter Book R.O.*

[3] *A True State of the Case*, pp. 14–19, E, 728, 5; Newsletter, Sept. 2, *Clarendon MSS.* ii. No. 1,377.

[4] *C.J.* vii. 304, "To consider of a new body of law," was the phrase used. That codification was intended is evident from the language of An Exact Relation (*Somers Tracts*, vi. 276), where it is said that the word 'body' was introduced by the clerk, the intention of the supporters of the Committee being to vote for a 'new model of law.' The object, it is further said (p. 277), was to make the laws 'easy, plain and short,' and to get rid of the uncertainty caused by contrary pre-

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Cromwell, indeed, was no friend of legal abuses, but such an upturning of the whole existing system by incompetent hands was hardly likely to secure his approval. "I am more troubled now," he said, in confidence to a friend, "with the fool than with the knave."[1] By the middle of September it was observed that Cromwell was on terms of intimacy with Lambert, who possessed more common sense than any other general officer.[2] Harrison's influence with him was already at an end.

Cromwell gives his opinion.

Sept. He draws near to Lambert.

It little mattered to those who had rallied to the standard which Lilburne had set up whether Cromwell sided with Lambert or with Harrison. To them he was still the military despot, ruling under the name of his humble instruments. On the night of September 14 they gave vent to their feelings by scattering in the streets a printed broadside, accusing Oliver Cromwell of high treason to 'his lords the people of England.' He would not, it was argued, have committed treason if he had merely broken up a Parliament which was attempting to perpetuate itself. He was a traitor because, after the forcible dissolution, he omitted to entreat 'the lords the people of England,' to elect representatives according to their indubitable rights, and to stand by them with his army 'as servants, as in duty he and they . . . ought to have done.' In consequence of this traitorous neglect of duty all the people of England were invited to convene, on October 16, in their several counties, in order to

Sept. 14. A Lilburnian attack on Cromwell.

cedents in law cases. Later on (p. 278) we hear that, when the Committee got to work, they began with 'criminals,' considering 'treason, theft.' "By which means the great volumes of law would come to be reduced into the bigness of a pocket book . . . a thing of so great worth and benefit as England is not yet worthy of, nor likely in a short time to be so blessed as to enjoy."

[1] Newsletter, Sept. 2, *Clarendon MSS.* ii. No. 1,377.

[2] Newsletter, Sept. 16, *ib.* ii. No. 1,390.

elect a true Parliament by manhood suffrage.[1] Ineffectual as the threat necessarily was, it served to clear the political air. There was no talk here, as in the address of the aldermen,[2] of resuscitating the dissolved Parliament. A new representative body elected by the people without restraint was appealed to as the only legitimate source of authority. It was just because neither the Commonwealth nor any government in the power of Cromwell to set up could ever obtain this sanction that they were no more than temporary makeshifts against the blasts of anarchy.

An appeal to the soldier

Practically, the most serious part of this manifesto was that it concluded with an appeal to the soldiers. It was beyond doubt that many of them were touched with Lilburnian principles. Yet the authority of their officers, coupled with the deadness of the majority of the rank and file of the army to political arguments, held them in constraint. Those who shared Lilburne's views were cowed by the prompt action of the Lord General. Lieutenant-Colonel Joyce—who, as a cornet, had carried off the King from Holmby House—was cashiered for saying that he wished that the pistol aimed at Cromwell on Triploe Heath had been actually discharged.[3]

Joyce cashiered.

Popular feeling against the fanatics.

It was an important element in the situation that the popular feeling in favour of Lilburne's plea for government by an elected Parliament was enlisted against the fanatics. On October 16, the day proposed for the unauthorised election, Edmund Chillenden, a Fifth-Monarchy man,[4] was preaching at St. Paul's in

[1] *A Charge of High Treason*, 669, f. 17, No. 52. Thomason dates it Aug. 14, a mistake for Sept. 14, as is shown by contemporary notices.

[2] See p. 228. [3] Newsletter, Sept. 16, *Clarendon MSS.* ii. No. 1,390.

[4] Towards the end of the Long Parliament he and his congregation presented a petition to the Propagation Committee, asking that the State might cease to intervene in the appointment of ministers, that

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Chillenden attacked by a mob.

a chapel in the north-east end of the cathedral which had been assigned to him and his congregation, when he was assailed by a mob of apprentices, who were only driven off by the appearance of the Lord Mayor and Sheriffs.[1] The subversive doctrines preached in Parliament and in the pulpit must have appeared to Cromwell to be heading straight for anarchy, whilst the methods of those by whom they were resisted were equally anarchical.

Ill-feeling between Parliament and army.

The distrust of Parliament entertained by the officers on political grounds was, by this time, deepened by a conviction that the enthusiasts at Westminster were regardless of the legitimate requirements of the army. During the months of tension

tithes might be abolished, &c. In this he is described as a captain. (Grey's *Examination of the 4th vol. of Neal's Hist. of the Puritans*, App., p. 149.) In December 1653 he published *Nathan's Parable* in which he assumes no such title, from which it may be inferred that he had by that time been cashiered or allowed to retire. In his despatch of Nov. $\frac{17}{27}$ Bordeaux speaks of a lieutenant-colonel and a captain as having been cashiered. The first is certainly Joyce and the second most probably Chillenden. The offence of the latter is not known, but the following extract from his letter to Cromwell, dated Nov. 30 (*Nathan's Parable*, App.), is worth quoting. "I do think it very meet to vindicate Colonel Goffe, Colonel Cooper, Lieut.-Col. Mason, Lieut.-Col. Worsley, Major Packer, which were appointed by your Excellency to look into my cause, that they did faithfully and honestly, with a great deal of love and tenderness, endeavour to find out the truth, especially Col. Goffe and Lieut.-Col. Mason, that in my heart I did not look to them as acting against me as my very enemies; especially Lieut.-Col. Mason was so busy and restless that truth might be found out; and for that I do pray Colonel Goffe and Lieut.-Col. Mason in particular, forgiveness. And now, my lord, I cannot conclude without an acknowledgment of the many signal favours I have received from your Excellency, and how tenderly your Excellency did deal with me about this business; so that I may say of your Excellency as is written of Joseph, Mat. i. 19, that your Excellency being just and full of pity, you were not minded to make me a public example, but to put me off privily, casting also in your thoughts how to do me good, that I might not be utterly ruined."

[1] *The Weekly Intelligencer*, E, 715, 1; Pauluzzi to Morosini, Oct. $\frac{20}{30}$, *Letter Book R.O.*

which had preceded the dissolution of the Long Parliament, there had been no point on which the military party had insisted more strongly than on the strict performance by Parliament of the conditions on which garrisons had surrendered at the close of the Civil War. Amongst those concerned was Sir John Stawell, whose case was comprised in the amnesty granted by the articles of Exeter.[1] In consequence, however, of a charge of cruelty in connection with his governorship of Taunton at an earlier date, he had been brought to trial and punished with the confiscation of his estate. After the dissolution Cromwell had set him at liberty, and had supported him in pleading his case before certain commissioners appointed by the late Parliament to redress the grievances of persons complaining of the violation of articles of surrender.[2] On August 15 these commissioners reported in his favour. By this time, however, his estates had been sold, and on September 15 Parliament, on a petition from the purchasers, confirmed their title.[3] Though it was afterwards alleged that some of those who, on this occasion, voted in the majority wished that Stawell should be compensated for his loss, nothing was done to carry their purpose into effect. No heavier blow could be struck against Cromwell and his brother officers than this resolution to set at naught their plighted word.[4]

Case of Sir John Stawell.

Aug. 15.

Sept. 15.

[1] *Great Civil War*, iii. 91.

[2] Newsletters, June 3, July 8, *Clarendon MSS.* ii. Nos. 1,213, 1,271.

[3] *C.J.* vii. 319.

[4] Stawell's petition is printed in *Somers Tracts*, vi. 32. A full account of the case is to be found in several folio pamphlets bound together in a volume of the Thomason Tracts marked E, 1,072. Compare *A True Narrative of . . . the Dissolution*, E, 724, 11; *An Answer to . . . a True Narrative*, E, 725, 20; An Exact Relation, *Somers Tracts*, vi. 266; *A True State of the Case of the Commonwealth*, E, 728, 5.

CHAPTER XXVIII.

THE INSTRUMENT OF GOVERNMENT.

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Nov. 1. A new Council of State.

INFLUENTIAL as the fanatics were in the nominated Parliament, they did not constitute a majority in a full House, and the House was far more likely to be full when a new Council of State had to be chosen than when important legislation was in hand. It was arranged that on November 1 sixteen members of the outgoing Council should be re-elected for the ensuing six months, and that to these should be added fifteen who had hitherto stood outside the Council. When the votes were counted it was found that Cromwell was unanimously elected by the 113 voters present. The next seven, with votes ranging from 110 to 62, were all of them afterwards members of the first Council of the Protectorate, whilst Harrison, who stood thirteenth on the list, received only 58 votes. The Council as finally appointed gave to Cromwell a working majority in favour of peace with the Dutch, and of a more conservative policy in Church and State. Yet there was no such working majority in the House. Like the opponents of the Bishops in the first months of the Long Parliament—according to Falkland's jest—the Moderate party amongst the nominees could not endure the irksome duty of constant attendance on the debates. Before the day of the election

A Cromwellian majority on the Council.

A balance of parties in the House.

was over the numbers present dropped from 113 to 95. During the next ten days the highest number present at a division was 81. It thus came about that the two parties were pretty equally balanced when an actual vote was taken.[1]

[1] Since this chapter was completed I have met with the following printed list of members (669, f. 19, No. 3), in which the Moderates are marked with a (*) and their opponents with a (†). The publication is assigned by Thomason to June 22 [1654].

"A Catalogue of the names of the members of the last Parliament, whereof those marked with a star were for the Godly Learned Ministry and Universities.

Berks.

* Samuel Dunch.
† Vincent Goddard.
* Thomas Wood.

Bedford.

† Nathanael Taylor.
† Edward Cater.

Buckingham.

* George Fleetwood.
* George Baldwin.

Cambridge.

* John Sadler.
† Thomas French.
* Robert Castle.
* Samuel Warner.

Chester.

* Robert Duckenfield.
† Henry Birkenhead.

Four Northern Counties.

* Charles Howard.
* Robert Fenwick.
* Henry Dawson.
* Henry Ogle.

Cornwall.

† Robert Bennet.
† Francis Langdon.
* Anthony Rous.
† John Bawden

Derby.

* Jervas Bennet.
* Nathanael Barton.

Devon.

* George Monk (one of the generals at sea).
† John Carew.
* Thomas Sanders.
* Christopher Martin.
* James Erisey.
* Francis Rous.
† Richard Sweet.

Dorset.

* William Sydenham.
* John Bingham.

Essex.

* Joachim Matthews.
† Henry Barington.
* John Brewster.
† Christopher East.
* Dudley Templer.

Gloucester.

† John Crofts.
* William Neast.
† Robert Holmes.

Suffolk.

† Jacob Caley.
* Francis Brewster.
† Robert Dunkon.

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There was, indeed, some progress made in legislation, to which little or no exception was taken.

Non-contentious legislation

* John Clark.
† Edward Plumstead.

Somerset.

* Robert Blake (one of the generals at sea).
† John Pyne.
† Dennis Hollister.
* Henry Henley.

Surrey.

† Samuel Highland.
† Lawrence March.

Sussex.

† Anthony Stapley.
† William Spence.
† Nathanael Studeley.

Warwick.

* John St. Nicholas.
* Richard Lucy.

Wilts.

* Sir Anthony Ashley Cooper.
† Nicholas Green.
† Thomas Eyre.

Worcester.

* Richard Salway.
† John James.

York.

* George, Lord Eure.
* Walter Strickland.
* Francis Lassels [Lascelles].
† John Anlaby.
* Thomas Dickenson.
† Thomas St. Nicholas.
† Roger Coates
* Edward Gill.

London.

* Robert Tichbourne.
† John Ireton.
† Samuel Moyer.
* John Langley.
* John Stone.
* Henry Barton.
† Praise-God Barbone.

Wales.

† Bushy Mansel.
* James Philips.
† John Williams.
† Hugh Courtney.
† Richard Price.
† John Brown.

Scotland.

† Sir James Hope.
* Alexander Bredy [Brodie].
† John Swinton.
* William Lockart [Lockhart].
† Alexander Jeffries [Jeffray].

Southampton.

* Richard Norton.
* Richard Major [Mayor].
* John Hildesley.

Hertford.

* Henry Lawrence.
† William Reeve.

Hereford.

† Wroth Rogers.
† John Herring.

Huntingdon.

* Edward Montague.
* Stephen Phesaunt.

Kent.

* Lord Viscount Lisle.
† Thomas Blount.
† William Kenrick.
* William Cullen.
† Andrew Broughton.

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Amongst the Acts passed without resistance was one for the relief of creditors and poor prisoners,[1] another for the safe custody of idiots and lunatics,[2] and a third repealing the iniquitous clause by which persons refusing to take the Engagement were denied the benefit of courts of justice, although the Act by

Lancaster.
† William West.
† John Sawrey.
* Robert Cunliff.

Leicester.
† Henry Danvers.
* Edward Smith.
* John Pratt.

Lincoln.
* Sir William Brownlow.
† Richard Cust.
* Barnaby Bowtel.
* Humphrey Walcot.
* William Thompson.

Middlesex.
* Sir William Roberts.
* Augustine Wingfield.
† Arthur Squib.

Monmouth.
* Philip Jones.

Northampton.
* Sir Gilbert Pickering.
* Thomas Brook.

Norfolk.
† Robert Jermy.
* Tobias Freere.
* Ralph Wolmer.
* Henry King.
† William Burton.

Nottingham.
* John Oddingfels.
* Edward Clud.

Oxon.
* Sir Charles Worsley [Wolseley].
† William Draper.
* Dr. Jonathan Goddard.

Rutland.
* Edward Horsman.

Salop.
† William Bottrel.
† Thomas Baker.

Stafford.
† George Bellot.
† John Chetwood.

Ireland.
* Sir Robert King.
* Col. John Newson.
* Col. Henry Cromwell.
* Col. John Clark.
* David Hutchinson.
* Vincent Gookin.

[*Co-opted Members.*]
* Lord General.
* Major General Lambert.
† Major General Harrison.
* Major General Desborough.
* Colonel Matthew Tomlinson."

There were therefore 84 Moderates and 60 of the Advanced party. A note of Thomason's incorrectly makes the latter 61.

[1] *Scobell*, ii. 259.

[2] *Act*, 669, f. 17, No. 58.

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which the Engagement was imposed was left unrepealed.[1] Public attention, however, as is usually the case, was directed specially to contentious legislation, and amongst this class was pre-eminently to be reckoned the proposals relating to the reform or abolition of Chancery and tithes.

Oct. 15. Conflict of opinion on the abolition of Chancery.

On October 15 the struggle over Chancery, laid asleep in August,[2] was revived by a motion that all suits in that Court should be suspended for a month to clear the way for new legislation. The motion was, indeed, carried by a small majority, but

Oct. 17.

a Bill founded on it was rejected on the 17th, though only by the casting vote of the Speaker. On the

Oct. 22.

22nd a Bill appointing commissioners to hear causes up to a certain date was rejected by the Moderates on the ground that it made no provision for the

Oct. 29.

future, and on the 29th another Bill was rejected by the Advanced party on the opposite ground that it threatened to perpetuate existing abuses. At last, a

Nov. 3.

third Bill was produced in which provision was made —to use the language of an enthusiastic supporter— 'for the taking down the Court, and for the despatch of the causes depending, and providing for the future in a summary way, so as any ordinary cause might be determined and ended for twenty or forty shillings, and in a very short time, and much strife and going to law prevented.' Yet, though Parliament continued sitting for more than five weeks after this marvellous Bill was read a second time, it never emerged from the Committee of Law to which it was immediately referred.[3]

Whatever might be the fate of Chancery, the

[1] *Act*, E, 1,062, 23; see vol. i. 215. [2] See p. 241.

[3] *C.J.* vii. 335, 338, 340, 346. An Exact Relation, *Somers Tracts*, vi. 276.

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Assessment Act must be renewed if the military and naval services were to be preserved from an entire collapse. Accordingly, a Bill renewing the monthly assessment of 120,000*l.* for another half-year was brought in on November 4. It at once met with serious opposition, and before it was brought into its final shape alterations were made in the sums imposed on various counties and towns, the quota of the City of London especially being raised from 6,000*l.* to 8,000*l.* As far as it is possible to understand what passed in the final debate, it seems that the opposition of those who objected to the additional burden imposed on their constituencies was re-enforced by the outcries of those who, on general grounds, thought that too much money was being spent upon soldiers and sailors.[1] Why, it was asked,

Nov. 4–24. The Assessment Bill.

Nov. 24. Passing of the Act.

[1] In An Exact Relation (*Somers Tracts*, vi. 273) it is said that 'there being a desire, if possible, it might have been to have abated something of that sum, and that it might be laid more equally; many votes passed, and very sharp debates by reason of the great inequality that was evident in the laying of the tax, some countries bearing beyond their proportion, and some much less; which made the burthen more grievous than otherwise it would be; when after many days spent in the modellising the Bill, and it came to be passed, some gentlemen gave their reasons why they could not give their Yea to pass it for a law, for the unrighteousness that was in it—and something else—which had been laid forth in the debate. The great inequality betwixt county and county, city and city, hundred and hundred, and so of particular estates some paying but two or three shillings in the pound, and others four or five; yea some ten or twelve shillings for their real estate, besides what they paid for their personal; in which, some of London passionately complained of their being over-rated, they paying eight thousand pounds a month, the fifteenth part of the whole assessment of the Commonwealth, when as they with great confidence affirmed that they were not the fortieth part of the Commonwealth in value as their case now was.' A comparison between this Act (E, 1,062, No. 32) and the last assessment Act of the Long Parliament (E, 1,061, No. 81) shows that the two agreed on assessing each county at a certain sum, and dividing the county assessment by a pound-rate—*i.e.* charging an equal fraction of the whole on so much of each estate as was valued at one pound. They differ in the sums assessed on each

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should not the county assessment be abandoned, and each individual holder of real or personal property be assessed at the same percentage of each pound-value of his holding? It was even suggested that the officers who had enriched themselves by the purchase of forfeited estates at low values should come to the help of the suffering Commonwealth, and serve without pay for a year.[1] So strong was the opposition that it was believed in the House that if a division had been taken the Bill would have been rejected. Wiser counsels, however, prevailed, and in the end its opponents allowed it to pass, in the hope that there would be time enough in the next six months to contrive some more equitable method of levying the tax.[2] A few days' discussion on the

county; the increase on London being as stated above from 6,000*l.* to 8,000*l.* I suspect that what was asked was that the assessment on counties should be discontinued and a definite rate assessed on each pound-value held by every individual owner all over the country.

[1] "The Church-party urged" (*i.e.* on the last day of the sitting of the Parliament) "that the dissenters had dealt disingenuously with the army in moving that the officers should be treated with to lay down their pay, and likewise to endeavour to the casting out the Bill of Assessment. To which they answer that, as to what was urged as disingenuity to them, is endeavouring to retrench some of the officers' pay: it was moved indeed in order to the abatement of the tax that, in respect of their great estates already gotten, and the little pains and hazard they were now at in this time of peace, and the sore and heavy burden that was upon the people, that the chief officers would for one year in this time of strait serve the Commonwealth freely, as they had called the Parliament to do: and concerning the motion of casting out the Bill of Assessment [it] was upon this ground that it was an unequal and oppressive way of levy, which yet, lest then the emergent affairs of the nation should suffer, it was waived, hoping ere another assessment should be laid, it might be done by a ground-rate in some other more equal way of assess; instance being given of some towns and counties in the Commonwealth paying 12*s.* and 13*s.* in the pound, and others but two or three." *Great Britain's Post*, E, 222, 28.

[2] "The Act ingrossed, and the question being put, the Noes as to the making it a law that very day, had they been prosecuted to the

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Excise convinced the members that that impost was an oppressive one, and the Committee ordered to draw up the Bill authorising it was instructed to treat it as merely a temporary measure.[1]

Dec. 1. The Excise to be only temporary.

Fierce as had been the contest on financial questions, the contest on Church questions was still fiercer. Cromwell, indeed, had been doing his best, not unsuccessfully, to put an end to heart-burnings amongst the clergy. For some time he had taken part in conferences with the leading ministers, Presbyterians, Baptists or Independents, attempting to induce them to live harmoniously in spite of differences on points of order.[2] The real danger came from the Fifth-Monarchy preachers, whose lectures at Blackfriars drew crowded audiences. These enthusiasts called for nothing less than an entire abolition of the existing law, and a substitution for it of a simple code based on the law of Moses.[3]

Oct. Cromwell tries to promote harmony amongst the clergy.

The Fifth-Monarchy preachers.

poll had hazarded the passing of it; it having been earnestly pressed, that it might be amended at the table or recommitted to be amended against the next day." An Exact Relation, *Somers Tracts*, vi. 274.

[1] *C.J.* vii. 381. The author of An Exact Relation, *Somers Tracts*, vi. 272, seems to go too far in saying it was 'by general consent waived and laid aside.'

[2] *Verbael*, 177; *The Faithful Scout*, E, 222, 2.

[3] The statement of Cromwell, in his speech at the opening of the first Protectorate Parliament (*Carlyle*, Speech II.), that these men perhaps wished 'to bring in the Judaical law' has been controverted. It is however fully borne out by a passage from a pamphlet published on November 7 by John Rogers, one of the preachers: "Therefore look to it now, whiles you have a time to do it, and let me add this to urge you that this Monarchy of Christ will deliver us from slavery and tyranny, and set up the laws of God in the stead of men's: see Isa. xii. 21, 22 'The Lord is well pleased for his righteousness sake, He will magnify the law and make it honourable,' but (as yet in the Fourth Monarchy) this is a people robbed and spoiled; as the Jews were by the Romans, so we by the Normans robbed of all our rights, which we hope to be restored into . . . My work and word is to say 'Restore,' which if you that are in power refuse to do it, yet deliverance

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As for the Church, they sought to abolish the whole system of patronage and tithes, and place the ministry upon an entirely voluntary basis. The Fifth Monarchy of Christ, they held, was soon to be established on the earth, and it was the duty of those now in power to anticipate its laws so far as possible, though still living amongst the dregs of that Fourth Roman Monarchy which was opposed to the triumph of the Saints. Office and authority were to be given to the Saints alone,[1] and all institutions derived from William the Conqueror—the Little Horn concerning whom Daniel had prophesied—were to be swept away without hesitation.[2] In their declamation against tithes and in their desire for a simplification of the lives of Christians, there is much to remind us of Fox's teaching, but they had nothing of the sobriety and submissiveness of the founder of the Society of Friends. It was no voluntary company inspired by noble ideals that they hoped to organise. Their aim was to grasp

shall come; but woe be to you, as to the tail of the Fourth Monarchy, which is not as yet out of rule, for God hath tried and trusted you with the honour which else others shall take from you within few years. . . . The law of God (which is now slighted as imperfect, whiles men set up their own notions and forms in the stead, and prefer Gratian's, or a Justinian's law, and to make themselves as heathens without the law of God amongst them), this law lies in Deut. vi. 1. These are the Commandments (*i.e.* the ten in two tables given Moses on Mount Sinai, Exod. xx.), the Statutes (*i.e.* the several cases depending on and arising out of each command). . . . . Now this Law, Statute-book and Judgment-seat of God must be set up (and not man's) in this Fifth Monarchy. . . . Wherefore if you be the men whom the Lord will own and honour in this work; up then! and about it! for the Body of laws lies ready before you in the word of God. O that you might be used of God for Christ in this work of magnifying His Law in this Commonwealth of England!" *Sagrir*, pp. 138–140, E, 716, 1.

[1] *Ib.* p. 136.

[2] *Ib.* pp. 125–129.

the sword and to compel their countrymen to adapt themselves to the government of the Saints. To oppose their whims was to be the servants of Antichrist himself.

Nov. 16. Christopher Feake.

At the meetings at Blackfriars the leading part was played by Christopher Feake. On November 16 an astonished listener heard either this preacher or one of his associates condemn the Reformed Churches as outworks of Babylon, and follow up his blow by predicting the downfall of 'Parliament, army, Council of State, and all now in power,' and the substitution of another authority for theirs. The reporter of these wild words told Cromwell that the preachers called on him to fix the nation's interest and his own 'upon some solid fundamentals in reference to the State, both of religion and policy.'[1] The notion that the whole government was out of joint, and that the nominated Parliament was as little able as its predecessor, the Long Parliament, to provide for the necessities of the time, was shared by many others. The idea of securing a bulwark against heady and intemperate legislation by subjecting the action of Parliament to a written constitution had been sketched out in *The Heads of the Proposals*, and had subsequently been reduced to a system in the various editions of *The Agreement of the People*. The last-named document, as presented by the officers, having been framed in the bitterness of the struggle against the absolute monarchy of Charles I., had looked for a remedy partly in the reservation of certain important subjects from parliamentary legislation, and partly in shortening the duration of Parliaments and the length of their sessions. It is true that in the

A call for constitutional reform.

Earlier proposals for limiting the powers of Parliament.

[1] Letter of Intelligence, Nov. 16, *Thurloe*, i. 591.

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subsequent Lilburnian draft the sessions were to last all the year through, but when the year came to an end there was to be a general election by manhood suffrage, in order that Parliament might be held in check by constant references to the popular will.

Idea of strengthening the executive.

A different idea had for some time been growing up in the army. In 1648, those who framed *The Agreement of the People* had been mainly concerned with imposing checks on the executive authority. In 1653 the same men were alarmed at the prospect of parliamentary tyranny, and, distrusting the popular will as they did, they sought for a check on the despotism of a single House, partly, indeed, by shortening the terms during which Parliament was to be operative, and by reserving certain questions from its consideration by means of a written constitution; but still more by increasing the powers of the executive Government.

Some proposal of this kind had been made to Cromwell shortly after the dissolution of the Long Parliament,[1] but it had not at that time been taken into serious consideration. About the middle of October it was, however, revived by the officers,[2] but for a time it made little way, perhaps because Cromwell was averse to any forcible interruption of the Parliament which he had called into being. Cromwell's dislike of violent measures, whenever it was possible for him to avoid them, was no doubt strengthened by the result of the election of November 1,[3] showing that the Moderate party was able to gain the upper hand in Parliament if only

[1] See p. 219.

[2] Ludlow (*Memoirs*, i. 369) says that after the abdication of the nominees, Lambert declared that the Instrument had been 'under consideration for two months past.'

[3] See p. 258.

its members would give themselves the trouble of more constant attendance. During the early part of November he seems to have maintained a position of expectancy, taking care not to commit himself to either of the extreme parties respectively represented on the Officers' Council by Lambert and Harrison.[1]

Nov. 21. Creation of a new High Court of Justice.

Before the end of the month an effort was made by the Moderate party to strengthen the executive without having recourse to constitutional change. With Lilburne's acquittal before their eyes, they deemed it hopeless to obtain a fair verdict from a jury in a political trial, and they accordingly resolved to push on the scheme of erecting a new High Court of Justice, which had for some time lain asleep in the committee to which it had been referred.[2] A Bill to that effect was accordingly brought in on November 21 on the pretext of danger from a Royalist conspiracy, the leaders of the Moderate party protesting that if it were delayed by a single day 'they knew not but by that time they might have their throats cut.' The true reason for their haste was that the Bill was resisted by their opponents, who probably suspected that the weapon might be employed against others than Royalists. Many of the opposing members being, however, absent at the preachings at Blackfriars,[3] the Bill was

[1] This I gather from the language of Bordeaux about the relations of Lambert and Harrison to one another and to Cromwell; Bordeaux to Brienne, Nov. $\frac{17}{27}$, *R.O. Transcripts.*

[2] See p. 252.

[3] The author of An Exact Relation (*Somers Tracts*, vi. 273) plainly connects the hurrying on of the Bill with the Moderate party. That it was understood that the Act would be used against other than Royalists appears from Pauluzzi's language: "Alle voci de' diversi particolari e di qualche ministro predicante di nominazione et acclamazione di un Rè in questo Regno vi ha rimediato l' auttorità del

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read three times before they returned and passed into law in a single morning.[1]

Cromwell dissatisfied with Harrison.

There can be little doubt that this Act wrung from Parliament by a trick had Cromwell's approval. At all events within three days after its passing Harrison retired into the country, and it was generally understood that his withdrawal was the result of Cromwell's dissatisfaction with his conduct, a dissatisfaction which must have been the keener if there was any truth in the rumour that the more active spirits in Parliament had formed a design of substituting Harrison for Cromwell in command of the army.[2]

Lambert presides over a meeting of officers.

Lambert, who had been absent from town in consequence of ill-health, now returned to preside over a meeting which all officers within travelling distance had been invited to attend.[3]

Parlamento medesimo con atto rigoroso proibente a chi che sia, di parlare a questo fine per l' avvenire; et ognuno che rappresentasse il Governo presente tirannico ingiusto et illegitimo, e ne fosse accusato, s' intende colpevole di alto tradimento di stato, et in conseguenza giudicato e condannato alla morte senz' altra formazione di processo." Pauluzzi to Morosini, *Letter Book R.O.* The French ambassador writes even more clearly:—" Il s'est desjà estably une Chambre de Justice à desseing de contenir les mal intentionnez et une espèce de Predicateurs qui declament hautement contre ce Regime; dont mesmes quelques uns sont officiers de l'armée." Bordeaux to Brienne, $\frac{\text{Nov. 26}}{\text{Dec. 6}}$, *R.O. Transcripts.*

[1] *C.J.* vii. 353; *Act*, E, 1,072, No. 26.

[2] Despatch of the Nuncio at Brussels, Dec. $\frac{3}{13}$, *Vatican MSS. Nunziatura di Fiandra.*

[3] Bordeaux to Brienne, Nov. $\frac{17}{27}$, *R. O. Transcripts*, Newsletter No. 24, *Clarendon MSS.* ii. No. 1,547. On Nov. 26 Bordeaux writes that Lambert had arrived 'pour changer le Parlement, reduire l'authorité en un conseil de peu de personnes et abattre les Anabaptistes. L'on me vient de donner advis que leur chef Harrison est sorty de la ville, n'y voyant pas son party assez fort.' Bordeaux to Brienne, $\frac{\text{Nov. 26}}{\text{Dec. 6}}$, *R.O. Transcripts.* According to the Newsletter quoted above from the *Clarendon MSS.* a petition had already been presented to Parliament 'desiring them to constitute the General Lord Protector of this Commonwealth, but the House seemed not to resent it. 'Tis said his Excellency intends some alteration of the members of the House.'

At this meeting the existing situation was fully discussed, and with Lambert in the chair the conversation naturally turned on that new constitutional settlement which he and his immediate allies had for some time had upon the anvil, and which was in its main lines identical with the one ultimately adopted. Nor is there much reason to doubt that the chief obstacle to its immediate adoption lay with Cromwell. He seems to have been informed of what was passing at an early stage of the proceedings, and though, as may safely be conjectured, he sympathised with Lambert in his wish to render the existing Parliament innocuous, he appears to have set himself against a second military expulsion, and to have shrunk from accepting the title of King which it was now proposed to revive in his favour. There are reasons for thinking that Cromwell's final refusal was given on December 1, and that on that day Lambert, disappointed of his object, again withdrew into the country, whilst Harrison returned triumphantly to his post in Parliament and Council.[1]

[1] The whole of this rests on scanty indications, but such as they are they appear to me to justify my statements as fitting in with all the evidence that has reached us. Cromwell's own account of his relations with the framers of the Instrument is given in his speech of Sept. 12, 1654 (*Carlyle*, Speech III.): "The gentlemen that undertook to frame this Government did consult divers days together . . . how to frame somewhat that might give us settlement. They did consult; and that I was not privy to their counsels they know it. When they had finished their model in some measure, or made a good preparation of it they became communicative. They told me that except I would undertake the Government they thought things would hardly come to a composure or settlement, but blood and confusion would break in upon us. I refused it again and again; not complimentingly, as they know, and as God knows." When, it must be asked, did Cromwell refuse to take the Government on himself 'again and again'? Probably most readers have supposed it to have taken place during the interval between Monday, Dec. 12, when Parliament abdicated, and Friday, Dec. 16, when Cromwell assumed the Protectorate. There

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That, during the progress of these negotiations, Cromwell's mind was set rather upon conciliation than upon a breach with the existing Parliament may be gathered from information which has reached us of his overtures to the Blackfriars preachers, by whom the alienation of the officers and the establishment of the High Court of Justice were not unnaturally attributed to Cromwell's machinations. On November

is however an intercepted letter from an apparently well-informed Royalist, written on Wednesday, Dec. 14 (*Thurloe*, i. 362), in which the writer says 'that Thursday last, being the next day after our late Parliament was broken up'—Thursday is an obvious mistake for Tuesday—Lambert in the Council Chamber at Whitehall produced the deed of abdication before the officers and proposed a scheme in its main features resembling this Instrument in its final shape, but giving Cromwell the title of Lord Governor and not that of Protector. This was discussed on the following day, Dec. 14, by Cromwell and the officers. On the other hand, we know from his speech to the Hundred Officers in 1657 (Burton's *Diary*, i. 382) that Cromwell then declared that 'the Instrument by which the Government now stands was presented to his Highness with the title (King) in it,' and from this it seems to follow that as this account cannot apply to the presentation on Dec. 13, in which the title was 'Governor,' the Instrument must have been privately presented with the title of 'King' at an earlier date. Various subsidiary arguments tend to the same conclusion: (1) A discussion of the Instrument on the last days of November and on Dec. 1 leaves room for Cromwell's repeated rejections of the power conferred by the Instrument, which is not the case if we have only to do with an offer made on Dec. 13 and accepted, at latest, on the next day. (2) The title 'Governor' is an intermediate one between 'King' and 'Protector,' the latter being the old English equivalent for the modern 'Regent' and therefore implying a temporary, not a permanent office. The statement of the intercepted letter on the employment of this title on Dec. 13 is confirmed by Bordeaux's despatch of Dec. $\frac{15}{25}$, when it is stated that the General 'soubz le tiltre de Gouverneur aura l'auctorité entière.' (3) In the Record Office (*S. P. Dom.* xlii. 5) is a collection of specimens of the style used by the late King in issuing warrants. This is dated Dec. 1, and therefore appears to show that the discussion on Cromwell's acceptance of the kingship came to a point on that day. Lambert's departure and Harrison's return are mentioned in Bordeaux's despatch of Dec. $\frac{1}{11}$. Taken in connection with the evidence of the warrants, we may, I think, assume that Lambert left on the day on which the despatch was written. Harrison may have returned earlier when he discovered how matters were going.

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28 they poured forth the vials of their wrath on his head, appropriating to him the Scriptural epithets of 'The Old Dragon' and 'The Man of Sin.' This abuse only served to rouse its object to one more attempt to conciliate these irreconcilables. Summoning the preachers before the Council, Cromwell prayed them to remember that their violent language put heart into the enemies of the Commonwealth. Feake, after expressing a wish that the General's words and his own answer might be recorded in heaven, proceeded to throw the blame of the quarrel upon Cromwell's 'tampering with the King,'[1] and 'assuming exorbitant power.' "I did not expect," was Cromwell's reply, "when I heard you begin with a record in heaven that you would have told such a lie on earth." The position ultimately taken by the preachers was, that they could not refuse to utter words with which they were inspired by the Holy Spirit. After this there was nothing left for Cromwell to do but to dismiss them with an admonition. Yet, in spite of their uncompromising resistance, Cromwell afterwards sent to them his chaplain Sterry and other ministers to plead the cause of the civil government in the vain hope that they might be induced to promote the Kingdom of Christ by less turbulent methods.[2]

Nov. 28. Cromwell abused by the Blackfriars preachers.

Nov. 29. He attempts to conciliate them,

and sends ministers to plead with them.

Cromwell's rejection of the place allotted to him under the Instrument was followed—probably at his own suggestion—by another effort to win over Parliament to the paths of moderation. A short time before, on November 17, the House, by a majority of fifty-eight to forty-one, had resolved to abolish

Attempt to win over Parliament,

[1] Referring to his efforts to retain Charles I. on the throne.

[2] Bordeaux to Brienne, Dec. $\frac{1}{11}$, *R.O. Transcripts*; An Intercepted Letter, Dec. 2, *Thurloe*, i. 621.

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Nov. 17. Resolution to abolish patronage.

Dec. 1. A Bill ordered to be brought in.

Arguments for it.

patronage, and had subsequently ordered that a Bill to this effect should be brought in on December 6.[1] The arguments which influenced the majority were not far to seek. Was it fitting that any man should claim the right of presenting to a cure of souls, thus letting in 'such a one as will comply and serve his interest and wink at his vicious courses and not vex and disquiet his greatness by telling him his faults?' Was it fitting that the same man should be entitled to sell the advowson to some other person who was breeding up a son at a university to enjoy the parish provided him by his father: 'the glebe, the tithes and oblations, together with the care and cure of souls, and right of officiating to God and man there—for this his father bought and purchased for him, and who shall take it from him?' Was it not, too, a curious kind of property which was only to be turned into money by the patron when the incumbent was living? The moment the incumbent died this property dwindled 'to a shadow, unless it be sure to put in one that, being beholden to him, shall be sure to serve him, and so forbear his lusts; or else marry his kinswoman, or his wife's gentlewoman or chambermaid, in consideration of being presented to be settled there.'[2]

General consternation.

Such arguments do not imply abnormal fanaticism, and it is fairly certain that the votes of the Fifth Monarchists were on this occasion strengthened by those of men eager to right the wrongs of the world in a somewhat inconsiderate fashion. The opponents of the scheme, led by their conservative instincts to set themselves against so sweeping a change, were further irritated by the wild language in which a hand-

[1] *C.J.* vii 351, 361.

[2] An Exact Relation, *Somers Tracts*, vi. 279.

ful of excitable persons characterised as antichristian everything they disliked. Nor had the assailants of tithes learnt the wisdom of concentrating their attack upon a single point. It seemed as if no institution was to be spared. With patronage and tithes the Court of Chancery and the very framework of the law of England were marked for destruction.[1] In each particular, indeed, the assailants were able to make out a case against the institution as it stood. It was the far-reaching character of the changes demanded, together with the number of institutions attacked, which presaged a universal deluge. The conservative spirit was aroused in the nation, and those members of Parliament who shared in the general alarm knew that they would find support outside the walls of the House.

It was not, however, on the proposed Patronage Bill that the parliamentary battle was fought. On December 2, the day after that on which the order for its introduction had been made, the Committee on Tithes brought in a report calculated to exhibit the Moderate party in the character[2] of practical reformers. They might thus hope to gain votes which

Dec. 2. Report of the Committee on Tithes.

[1] There was also alarm lest the Universities might be destroyed on the ground of the doctrine of William Dell, Master of Caius, that University teaching was useless to produce spiritual ministers of religion. Dell, however, distinctly held that universities might be useful to the Commonwealth, standing 'upon a human and civil account as schools of good learning for the instructing and educating youth in the knowledge of the tongues and of the liberal arts and sciences.' *The Stumbling Stone*, p. 27, E, 692, 1. See Goodwin's *Hist. of the Commonwealth*, iv. 88. Yet Pauluzzi had heard of a design of the Parliament to destroy the two Universities. Pauluzzi to Morosini, Dec. $\frac{15}{25}$, *Letter Book R.O.* The charge which was brought against this Parliament of wishing to substitute the Mosaic law for the law of England was probably entertained by some of the fanatics but never expressed by the House. See p. 265, note 3.

[2] *C.J.* vii. 361.

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would probably be alienated were a division taken on a mere negative to a Bill for the abolition of patronage. If Cromwell asked the Moderates to make yet another parliamentary effort to win a majority to their side, the attempt to give effect to his wishes could not possibly have been made with more favourable prospects.

Scheme for the establishment of Ejectors.

This report, on which the future relations of Parliament with the army turned, was modelled, with some changes of detail, upon Owen's scheme for the establishment of Ejectors.[1] It was now recommended that England should be divided into circuits, each of which was to be visited by commissioners appointed by the State who were to co-operate with local commissioners in ejecting scandalous and ignorant ministers, and in settling in their places others better qualified, as well as in making direct appointments to livings left vacant from any cause. The maintenance of all settled ministers was to be guaranteed by Parliament. As for tithes, any one who scrupled their payment might be summoned before the neighbouring justices of the peace, who, after due examination, were to 'apportion the value of the said tithes to be paid either in money or land,' thus getting rid of the grievances connected with payment in kind. If, however, the owners of titheable property still refused to pay the composition fixed on them by the justices, the tithe might be recovered from them in kind. Finally it was recommended that the legal property in tithes should not be questioned.[2]

Dec. 6–10, Debate on the report.

As other business intervened, it was not till the 6th that this scheme was taken into consideration—a scheme which at least attempted to provide a remedy

[1] See p. 28.

[2] *C.J.* vii. 361.

for special abuses without irritating those who feared that the establishment of the voluntary system was tantamount to the establishment—at least in many parts of the country—of spiritual desolation. For five whole sittings the discussion continued, and it was not till Saturday, December 10, that the first clause of the report providing for the ejection of ministers was rejected by fifty-six votes to fifty-four.[1] The majority of two was sufficient to decide the fate of the whole measure, though it was much less than that which had carried the resolution for the abolition of patronage, and it would doubtless have been converted into a minority but for the votes of some who, without rejecting the general principle of the report, refused to acknowledge that it had provided the best way[2] of ejecting unsatisfactory members. Such refinement finds no place in the world of action, and every one of those who voted in the majority was set down by those on the other side as aiming at the destruction of the clergy by depriving all ministers, the worthy as well as the unworthy, of ascertained maintenance in any shape whatever.[3]

Dec. 10. Rejection of the first clause.

The vote of December 10 must have been as obnoxious to Cromwell as to the parliamentary and military adherents of *The Instrument of Government*. It was therefore open to Lambert and the officers, if they had been so minded, to take up the negotiation dropped on the 1st, and to urge Cromwell to interfere forcibly with a Parliament which had

Resolutions of the defeated party.

[1] *C.J.* vii. 363.

[2] The author of An Exact Relation (*Somers Tracts*, vi. 281) tells us (p. 22) that it was moved to omit the word 'best' from the clause. If this had been carried, the House would have adopted the report as a way of ejecting, &c., but not as the best way of attaining those ends.

[3] *An Answer to a Paper entitled A True Narrative*, E, 725, 20. One member is said to have declared that 'he spake not, but the Lord is true.'

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failed to fulfil the expectations of those who had summoned it. They better knew the man with whom they had to deal. They were well aware of the length of provocation which had been needed to bring Cromwell to act in the dissolution of the Long Parliament, and of the reluctance with which he had met their recent invitation to take a similar course with the nominated Parliament. They were aware, too, that his approval of the new constitution would be more easily won if they could present the dissolution of Parliament to him as an accomplished fact, especially if it could be made to look as an act proceeding from the Parliament itself,[1] in which there was a majority of members on their side, if only they could be induced to give constant attendance in the House.

Cromwell to be kept in the dark.

Dec. 11. Sunday consultations.

The following day, Puritan Sabbath though it was, was accordingly given up to consultations tending to promote this desirable consummation. Before the end of the day it was ascertained that it would be possible to detach some of the less convinced of the majority, and thus to secure on the following morning what would ostensibly be a purely parliamentary abdication[2] with which the Lord General would have no official right to interfere. As the goodwill of the Speaker, Francis Rouse, had been secured, the intrigue was the more likely to prove successful.

Dec. 12. An early sitting.

Accordingly, on the morning of Monday, the 12th, those who were in the secret flocked early to the

[1] Cromwell's own statement of his ignorance may be taken as decisive, especially as it was made in the presence of those who knew the truth. "I can say it, in the presence of divers persons here who know whether I lie or not, that I did not know one tittle of that resignation till they all came and brought it and delivered it into my hands." *Carlyle*, Speech III.

[2] An Exact Relation, *Somers Tracts*, vi. p. 282.

House to secure a majority, whilst their opponents, in ignorance of the course intended to be taken, made no haste to appear in force.[1] As soon as the Speaker had taken the Chair, Sir Charles Wolseley, a member of the Council of State, reproached his opponents with attempting to rob the officers of their pay, to destroy Chancery, and to substitute a totally new legal system of their own invention for the old common and statute law of England, and, lastly, with aiming a blow at property itself by their attack on patronage. For his part, he declared, he would no longer be responsible for such proceedings, and he therefore moved 'that the sitting of this Parliament any longer as now constituted will not be for the good of the Commonwealth, and that therefore it is requisite to deliver up unto the Lord General Cromwell the powers they have received from him.'[2] The motion was seconded by another member of the Council of State, Colonel Sydenham, and supported by other speakers.[3] Their arguments were not allowed to pass unchallenged, but after one member had defended the cause of Saturday's majority, others who essayed to follow him on the same side were bluntly told that 'it was not now a time to debate.'[4] There was danger, as the minutes passed on, lest the motion should be lost when the House was fuller.

A motion that Parliament resign its powers.

There is little doubt that the Speaker had been

[1] 'Rising early, and coming betimes to put in practice their design.' An Exact Relation, *Somers Tracts*, vi. p. 282.

[2] *C.J.* vii. 363; *A True State of the Case of the Commonwealth*, p. 22, E, 728, 5.

[3] Ludlow (*Memoirs*, ed. Firth, i. 366) gives the names of the speakers as 'Colonel Sydenham, Sir Charles Wolseley, and others.' The Dutch Commissioner writing at the time gives Wolseley's name only as the mover of the resolution, *Verbael*, 255.

[4] *A True Narrative*, p. 2, E, 724, 11.

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instructed what to do on the approach of such a contingency.[1] Instead of putting the question in due form, he rose hastily from the Chair, and, followed by some forty members, made his way to Whitehall. According to parliamentary custom it was a most irregular proceeding, if, indeed, anything can be called irregular in a body so strangely formed as that which now decked itself in the mantle of Parliament.

The Speaker leaves the House.

A minority holds out,

A minority, variously reckoned from twenty-seven to thirty-five, remained behind, comforting themselves with the assurance that they had been 'called of God to that place and that they apprehended their said call was chiefly for the promoting the interest of Jesus Christ.' They were beginning to draw up a protest, but had not proceeded far when Colonel Goffe and Lieutenant-Colonel White entered and requested them to withdraw. "We are here," answered one of them, "by a call from the General, and will not come out by your desire unless you have a command from him."[2] It was precisely what the two colonels could not show, and they had nothing for it but to call in the soldiers standing at the door and to drive the faithful remnant from the House.[3]

and is expelled by soldiers.

[1] *A True Narrative*, p. 2, E, 724, 11.

[2] Mansell to Prichard, *Thurloe*, i. 637.

[3] Godwin (*Hist. of the Commonwealth*, iii. 590) argues it to be incredible that soldiers would have been marched in without the privity of the General. The expelled members, however, had neither speaker nor mace. Technically therefore they were no Parliament, and the colonels may have felt justified in expelling them without an order from the General. There can be little doubt, however, that they acted by Lambert's directions, and Lambert was looking forward to have all irregularities covered by Cromwell's acceptance of the Instrument. Some support of Cromwell's statement that he did not know what was going on may be derived from the failure of the colonels to answer the question put to them. If they had really had Cromwell's orders, they would naturally have replied in the affirmative to the implied question whether they had a command from the General. This view of the case is plainly

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So rapidly did the expulsion take place that all was over before the majority reached Whitehall.[1] When they arrived at their destination copies of Wolseley's motion were circulated amongst them and hastily subscribed. Then they were received by Cromwell. He appeared to be surprised and told them that it was a heavy burden that they were laying on his shoulders. He did not, however, refuse to accept their resignation, adding that he would use the authority they had restored to him to protect honest people.[2] During the next few days additional signatures were affixed to the deed of abdication, and finally the numbers of those assenting fell little short of eighty, thus securing the adhesion of a clear majority of the members.[3] Undecided spirits were prompt to desert a fallen cause.

indicated in a Cromwellian pamphlet, *An Answer to a Paper entitled A True Narrative*, p. 5 (E, 725, 20): "What happened to those few members that remained in the House I know not, but am conscious of no force . . . either intended or offered to the Parliament, whilst a House was sitting." Of course, we must not stretch the argument for Cromwell's ignorance too far. He may very well have suspected that something was going on, and have taken good care not to push his inquiries into the matter.

[1] An Exact Relation, *Somers Tracts*, vi. 283.

[2] "Il a paru d'abord surpris, et leur a tesmoigné que c'estoit un fardeau très pesant. Néantmoins il ne l'a pas refusé et a promis de s'en servir pour la defense des gens de bien." Bordeaux to Brienne, Dec. $\frac{12}{22}$, *R.O. Transcripts*. This has to do only with the resumption of the dictatorial authority which Cromwell had renounced at the opening of the nominated Parliament. It had nothing to do with the Instrument of Government.

[3] An Exact Relation, *Somers Tracts*, vi. 283, where adhesions are said to have been given in 'three or four days after.' *An Answer to a Paper entitled A True Narative*, p. 5 (E, 725, 20), says that 'near eighty members voluntarily subscribed a resignation' apparently on the 12th. It seems more probable, however, that some of the signatures were given later. There were eighty-four Moderates in all (see list at p. 259, note 1), but Cromwell himself, and probably his chief officers, would not sign.

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Cromwell agrees to the general principle of the Instrument.

A discussion which followed between Cromwell and the officers led to the consent of the former to accept the new constitution on the definite understanding, if it had not been earlier arrived at, that the title of 'king' was to be no more heard of, and that he might still be allowed to object to details. The argument which weighed most with Cromwell in bringing him to withdraw his former opposition was that, as by the abdication of the nominees he was once more in possession of an absolute dictatorship, the question was no longer whether power which he did not possess should be conferred on him, but whether power which he did possess should be constitutionally restricted.[1] If Cromwell could be credited with any fixed constitutional principles at all, it would be worth noting that he placed the basis of the new government, not on the Instrument, but upon the generalship which he held already. In other words, the experiment he was about to try was one in which a military despotism in actual existence consented to impose limitations on itself. This vice of origin the new government was never able to shake off.[2]

[1] That there was, as might be expected, a meeting between Cromwell and the officers on the 12th appears from the statement in *Several Proceedings* (E, 222, 24). As the Instrument was formally presented to Cromwell on the 13th, this meeting must have been the occasion referred to by Cromwell on Sept. 12, 1654:—"My power, again by this resignation, was as boundless and unlimited as before; all things being subjected to arbitrariness, and a person having power over the three nations boundlessly and unlimitedly. . . . I confess after many arguments, and after the letting of me know that I did not receive anything that put me into a higher capacity than I was in before, but that it hindered me and bound my hands to act nothing to the prejudice of the nations without consent of a Council until the Parliament, and then limited by the Parliament, as the Act of Government expresseth, I did accept it." *His Highness the Lord Protector's Speech*, E, 812, 11*. Carlyle's version is so inaccurate, though only verbally, that I prefer quoting from the original pamphlet.

[2] For the same reason perhaps the Instrument was produced by

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On the strength of this agreement, Lambert, accompanied by a considerable number of officers, appeared in the Council Chamber on the morning of the 13th.[1] After dismissing the civilians who had crowded in to witness the historic scene, Lambert produced the deed by which the late Parliament had resigned its powers to Cromwell. He then obtained the consent of the officers present to the constitutional scheme which had been under discussion a fortnight before. During the 14th and 15th there were fresh discussions, in the presence of Cromwell himself, which resulted in certain modifications in detail,[2] after which the final redaction was accepted by Cromwell without further difficulty.[3]

Dec. 13. *The Instrument of Government* produced.

Dec. 14, 15. The Instrument adopted with amendments.

The idea of a written constitution was almost

officers without civilian assistance. It was the military power as well as the General that was limiting itself.

[1] On the date, see p. 271, note 1.

[2] In *The Protector, so-called, in Part Unveiled* (E, 857, 1), published in 1655, we are told that though all the officers were 'sent for upon a pretence of being taken into consultation, yet when they came thither they did little else but walk to and fro in the rooms without, whilst the business was carried on by a few within.' This is probably an exaggeration, but what truth there is in it may be assigned with most probability to these two days when delicate negotiations, which would hardly prosper in the hands of a large number, were being carried on with Cromwell.

[3] An intercepted letter, Dec. 14, *Thurloe*, i. 622. The points given in this letter which do not appear in the Instrument as finally adopted are: (1) The title of 'Lord Governor' for the Chief of the State, on which see p. 272, note; (2) The assignation to the 'Lord Governor' of the right of dismissing two members of the Council once in two years; (3) The dividing of the 400 members of Parliament into 280 for England and sixty apiece for Scotland and Ireland. The two latter countries had under the final Instrument to content themselves with thirty apiece. One trace of haste appears in the Instrument as actually promulgated. According to Art. ix. members of Parliament are to be elected within England, Wales, the Isles of Jersey, Guernsey, and the town of Berwick-on-Tweed. Art. x. assigns no members to Jersey or Guernsey, and none were ever chosen by them. The most probable explanation is that the secretary appointed to draw his pen through words intended to be struck out omitted in this instance to do so.

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Precursors of the Instrument.

coeval with the Revolution itself. As soon as King and Parliament had come to regard one another as contentious powers, it was to be expected that efforts at accommodation should take the shape of attempts to define the limits of their respective authority, and it was also to be expected that Parliament should thereby seek to gain that control over the executive which, but for the exceptional remedy of impeachment, it had hitherto failed to secure. As early as in 1642 the *Nineteen Propositions* emanating from Pym himself asked that the King should only act by the advice of the majority of the Council, that the number of councillors should be limited, and that none of their places, if vacant, should be filled except with the assent of the majority, to be confirmed or repudiated by Parliament, when it next sat, whilst the great officers of the realm were to be appointed under the same conditions. These proposals were maintained in the propositions made at Uxbridge and Newcastle, and to a certain extent in the *Heads of the Proposals*. *The Agreement of the People* took an entirely new ground. It recognised Parliament as supreme, and gave to it not only the appointment of the Council of State, but also power to issue instructions for its guidance. Parliament having thus stepped into the place of the King, an attempt was made to limit its absolutism by setting up reservations within which it was not allowed to legislate.

The constitutional problem.

Since *The Agreement of the People* had been presented to Parliament in January 1649, the governmental problem had been shown by experience to be far more complicated than it then appeared to be. It was not enough to restrict a single House with sovereign powers from meddling with certain impor-

tant subjects, as scarcely a point could arise on which it might not refuse legal redress to the persons injured, or might assume administrative or judicial functions without any possibility of checking it. The framers of *The Instrument of Government* therefore abandoned the absolute supremacy of Parliament as set forth in *The Agreement of the People*, and even the parliamentary control as set forth in the *Nineteen Propositions*, in order to recur to the practice of the Elizabethan monarchy amended in accordance with the needs of the time.

Legislation

It was in the clauses relating to legislation that the alterations were most conspicuous. The first article bore that the supreme legislative authority should be and reside in one person—the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the people assembled in Parliament. Subsequent articles declared that the first Protector should be Oliver Cromwell, and that his office should be elective and not hereditary. It appeared, however, that the part to be taken by the Protector in legislation was merely indirect.[1] Bills passed by Parliament were to be presented to him, twenty days being allowed him to formulate any objections he might entertain. If within this period he failed to satisfy Parliament that his objections were well-founded, the Bills would become law in the teeth of his opposition, unless they contained anything contrary to the Instrument. The negative voice which had been denounced by the army when it was exercised by the King was not allowed to the Protector. Yet, as the Instrument failed to nominate any body of men to decide whether any given enactment was contrary to the Instrument or not, plenty of room was left for friction.

Cromwell to be Protector.

He has no negative voice.

Opening for friction.

[1] Can it be that the clause about legislation being in the Protector and Parliament is a remnant of a draft conferring the title of king with the negative voice in the old fashion?

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Constitution of Parliament.

The proposed constitution of Parliament made that assembly more representative of the nation than any former House of Commons. The English members were to number 400, chosen by constituencies remodelled after the plan which the authors of the Reform Bill of the Long Parliament had borrowed from those of *The Agreement of the People*. As regards the franchise, however, the Instrument conferred the right of voting solely upon the holders of real or personal property to the value of 200*l*., whereas the old system had bestowed it on freeholders with property the yearly value of which was forty shillings, and *The Agreement of the People* had created a uniform franchise in counties and boroughs of all householders[1] not in receipt of wages, who were rated to the relief of the poor. On the borough franchise, either by accident or design, the Instrument was absolutely silent. The only permanent exclusions were Roman Catholics and persons who had abetted the Irish rebellion; but for the first three Parliaments all who had taken part in any war against the Parliament by action or advice were to be debarred from electing or being elected, so that Presbyterian supporters of Hamilton and Charles II., as well as Royalist supporters of Charles I., were temporarily shut out. Parliament thus constituted was to meet for the first time on September 3, 1654, and to sit for five months. A fresh Parliament was to be elected every three years, and provision was made, as in the Triennial Act of 1641, for its automatic election, if the Protector neglected to summon one. In the intervals between the triennial Parliaments, a special Parliament might be summoned if the

The franchise.

Qualifications.

Parliaments to be triennial.

[1] In this *The Agreement of the People* anticipated the present practice, except that out-voters and persons in receipt of wages were excluded.

Government thought it advisable, and must necessarily be summoned if war broke out.

Administration, however, is more important than legislation, and over the administration Parliament had no direct, and very little indirect, control. It was mainly on the Council that the framers of the Instrument relied as a check on the arbitrary tendencies of the Protector. That Council was to be an independent body, neither, as under the monarchy, the tool of the Crown, nor, as under the last two Parliaments, the tool of Parliament. It was to consist of not less than thirteen, and not more than twenty-one members, of which latter number fifteen were named in the Instrument itself, whilst power was reserved to the Protector and Council to fill up the remaining six places at any time before the meeting of the first Parliament. The councillors thus selected were irremovable, except during the sessions of Parliament, when a special Court was to be nominated, half the members of which were to be named by Parliament, for the trial of any councillor charged with corruption or miscarriage. If the accusation was brought when Parliament was not in session, power was given to the Council, with the consent of the Protector, to suspend the incriminated person from his functions till Parliament should meet. In the case of vacancies created by death or removal, Parliament was to present six names, of which the Council would lay two before the Protector, who was to select one of them as that of the new councillor. This presentation of names occurring at rare intervals was the only hold —if hold it can be called—which Parliament possessed on the executive.

They have no direct control over administration.

The independence of the Council.

The mode of its nomination.

To the advice of the Council thus constituted the Protector was bound in almost every case. Writs,

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Hold of the Council on the Protector.

commissions, grants, and similar official documents, indeed, ran in his name, and from him all honours and magistracies were derived, and he had the power of pardoning all offences except murder and treason. On the other hand, in the appointment to the highest offices: those of Chancellor, Keeper or Commissioner of the Great Seal, of Treasurer, Admiral, Chief Governor of Ireland or Scotland, or of either of the Chief Justices, he was bound to secure the approbation of Parliament, or if Parliament were not sitting, of the Council, its acceptance of his selection being afterwards approved by Parliament. For acts of government, for everything connected with the foreign relations of the country, including the conclusion of peace and the declaration of war, and for the issue of writs to summon special Parliaments, the Protector was dependent on the Council alone. With the advice of the Council he was allowed to issue ordinances with validity till his first Parliament met to decide on them, and to levy taxes during the same interval of time. In the event of his death the Council was to elect his successor.

Financial arrangements.

The financial arrangements intended to be permanent were subject to somewhat remarkable provisions. 'No tax, charge, or imposition' was to be 'laid upon the people but by common consent in Parliament only,' though the Protector and Council might provide for the necessities of the country up to the date of the meeting of the first Parliament. It was doubtless a result of the composite authorship of the Instrument that another article, without taking note of this sweeping generalisation, provided that a constant yearly revenue sufficient to meet the expenses of an army of 30,000 men, and of a navy capable of guarding the seas, together with 200,000*l.*

for civil expenses, should be raised out of the customs 'and such other ways and means as shall be agreed upon by the Protector and Council.' The only part assigned to Parliament in this matter was that, if the Protector thought fit to diminish the forces of the country, he should not dispose of the money thereby saved without the consent of Parliament, if it was in session, or of the Council, if it was not. After the first meeting Parliament would, however, have complete control over 'the raising of money for defraying the charge of the present extraordinary forces, both at sea and land, in respect of the present wars.'

Intention of the framers of the scheme.

The intention of these somewhat complicated arrangements was evidently to return to the ideas of the earlier sovereigns. The Protector—like the King—was expected 'to live of his own,' though 'his own' now included an army of 30,000 men in time of peace. It was only in time of war, or of extraordinary expenditure for any other cause, that the deterrent voice of Parliament could be raised with effect.

The power of the sword.

The power of the purse being thus limited, the power of the sword was left in studied vagueness, which left little room for the exercise of authority by Parliament. The Protector was during the session—that is to say, for five months in three years—to 'dispose and order the militia and forces, both by sea and land, for the peace and good of the three nations by consent of Parliament,' a clause the meaning of which is uncertain, but which might be interpreted to mean merely that during these months ships and men were not to be employed against an enemy or against rebels unless Parliament acknowledged them to be enemies or rebels. During the remainder of

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the three years the Protector was bound to have the consent of the Council in disposing and ordering the militia, but, as nothing was said of the standing forces, it may be gathered that they would be under his own personal control.[1]

Article on religion.

To the strictly constitutional articles were added others answering to the reservations in *The Agreement of the People.* As regards religion the lines of the earlier document were followed in the main, it being stipulated that there should be a public profession of Christianity with full protection for those congregations which felt themselves unable to comply with the established forms, provided that they did not abuse this liberty 'to the civil injury of others, and to the actual disturbance of the public peace on their parts.' In the Instrument, however, it was distinctly added that this liberty was not to be extended to popery or prelacy, whereas the Agreement had been content to guard against the interpretation 'that this liberty shall necessarily extend to Popery or Prelacy.' The only other difference of importance concerned the maintenance of the ministry. The Agreement emanating from a merely petitioning body had been content to ask that the clergy should be provided for 'out of a public treasury, and, as we desire, not by tithes;' whereas the Instrument, being the work of men assuming constituent powers, and having recent controversies in view, decreed 'that as soon as may be a provision less subject to scruple and contention, and more certain than the present, be made for the encouragement and maintenance of able and painful teachers, ... and until such

[1] Unless indeed the words attributing the control of 'the forces' to the Protector and Council were accidentally omitted. Everything seems possible in a document so hastily constructed.

provision be made the present maintenance shall not be taken away or impeached.'

The remaining articles.

Then followed articles confirming the sale of forfeited lands, the securities given for the debts of the Commonwealth, and the articles made upon Royalist surrenders in time of war. Finally, the Protector was to take an oath to observe the Instrument and to execute justice according to law for the good of the Commonwealth, whilst each councillor was to swear to be faithful to the trust committed to him.[1]

No provision for amending the Instrument.

It cannot escape remark that this constitution contained no provision for its own amendment; but there is no reason to suppose that its authors contemplated the event of its requiring modification. Like other constitution-mongers they sought not the abstract best, but the best to form a bulwark against certain concrete dangers of which they had had bitter experience. Alarmed at the despotic action of a single House, and not venturing to call in the nation to control the vagaries of its nominal representatives, these men, falling back on the main lines of the Elizabethan constitution, sought to establish an executive authority independent of parliamentary exigencies, and secure, at least in time of peace, against financial ruin. Nevertheless, being the same men who a few years back had combated royalty, they did their best to avoid the dangers attending the old system; whilst, by assigning to Parliament unrestricted legislative functions, and more especially by subjecting the actions of the Protector to the control of the Council, they hoped to avoid the reproach of

Aims of the founders of the Protectorate.

[1] *Constitutional Documents*, 314. I have retained the title by which this constitution is usually known, *The Instrument of Government*, though it was usually styled at the time '*The Government*,' thereby causing some confusion.

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having substituted the arbitrary government of one man for the arbitrary government of an assembly.

Cromwell not an autocrat.

That the restriction on the action of the Protector by his obligation to consult the Council was intended to be a real one there is every reason to believe. The notion which prevailed at the time, and which has continued to prevail in modern days, that Cromwell was a self-willed autocrat imposing his commands on a body composed of his subservient creatures, is consistent neither with the indications which exist in the correspondence of that day, nor with his own character. From time to time we hear of parties in the Council and of Cromwell's reluctance to act in defiance of strong resistance, whilst, unless he had totally changed his nature since he sat in the chair of the Army Council in 1647, we should expect to find him proceeding, at least for a time, tentatively rather than authoritatively, prone to accept suggestions from others, and to lead them by the force of argument and still more by the impressiveness of facts to the acceptance of his own dominant ideas. On the other hand, we should expect that this general habit of seeking to carry the Council with him, and even of yielding to its demands as long as his own mind was not positively made up, would be by no means incompatible—if strong occasion arose—with gusts of passionate resolution sweeping away all constitutional barriers before the insistency of his will.

His relations with the Council.

Secrecy of debates in the Council.

Real as the control of the Council for the most part was, it would be found impossible to carry home the fact to the minds either of contemporaries or of posterity. The Council, having to deal with executive affairs often of the utmost delicacy, must sit with closed doors, and could no more allow the public to

witness its debates than a modern cabinet or the Privy Council of a Tudor or Stuart Sovereign. To the world at large the Council spoke with a single voice, and that voice Cromwell's. What wonder if the world came to the conclusion that Cromwell had established an absolute monarchy, in which no will was regarded but his own? Yet it was this very idea of an absolute monarchy against which the nation had unanimously struggled in 1640, and nothing that had since occurred was likely to lessen its repugnance to it.

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Fosters the idea that Cromwell is an absolute monarch.

If the Instrument itself contained pitfalls hazardous to the success of Cromwell's experiment, there was another, outside any possible constitutional document, which he could hardly succeed in escaping. England was averse to a military even more than to an absolute government, and however much Cromwell might desire it, it would be hard indeed for him to divest himself of the military title to which he owed his position. His own selection as Protector, the very Instrument of Government itself, had arisen from the Council of the Officers, which had again and again intervened to change the course of political events. No doubt the army, which gave strength to the officers' demands, was as no other army has ever been, sedulous for the liberty of its fellow countrymen, and not desirous to intrude —unless in cases held to be of absolute necessity—upon the political government of the country. The fact remained that soldiers and not civilians had taken upon themselves to judge when that absolute necessity had arisen, and that soldiers, and not civilians, had now decided under what institutions the country should be governed for the future.

Difficulty of combating the impression that his government will be military.

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The Instrument of Government a landmark in English history.

Whatever the future might reveal as to the fortunes of the Protectorate, there can be no doubt that the crisis out of which the new government sprang was a landmark in English history. From the day of the opening of the Long Parliament every change had placed the Government in the hands of men more exclusively Puritan than their predecessors. Advocates of a modified Episcopacy had given place to Presbyterians, Presbyterians to Independents, Independents to Fifth Monarchists and assailants of Established Churches. Now, for the first time, the tide began to run in a contrary direction. As long as Cromwell was at the head of affairs there could, indeed, be no question of substituting any other form of religion for the directest Puritanism. For all that, the events which called Cromwell to power made it certain that even under him Puritan zeal would be modified by political and mundane considerations. In course of time the question might be asked whether Puritanism was to be permitted to dictate its laws to statesmen and men of the world.

Turning of the tide in respect to Puritanism,

and in respect to constitutionalism.

Nor could this change in the position of Puritanism fail to affect the political as well as the ecclesiastical situation. To give predominance to Puritanism—still more to give it to extreme Puritanism—it had been necessary to set aside the doctrine of the supremacy of Parliament as the representative of the nation, with which the revolution had started. To sustain Puritanism Parliament had to be purified, first, by the expulsion of the Royalists, secondly, by the expulsion of the eleven members, and, thirdly, by Pride's Purge. Finally, a so-called Parliament had been summoned, not a single member of which sat in virtue of election by any constituency whatever. *The*

Instrument of Government did not, indeed, frankly adopt the system of sovereign elective Parliaments, but it did establish elective Parliaments, though with certain considerable restrictions on their powers. The theory on which the claims of the nominated Parliament were based—that right-minded and religious persons ought, at least in critical times, to assume the powers of government even in defiance of the national will, was not, indeed, wholly abandoned—the mode in which the Protector and his first Council were appointed testify to the contrary—but it was intended to drop gradually out of sight. The time was expected to come, and that, too, after no long interval, when even Royalists would be admitted to vote at elections and to take their seats in Parliament. Nor was the executive to remain for ever outside the influence of Parliament. Slowly enough, it is true, but still in some limited measure, Parliament would impress its ideas upon the Council and on the Protectorate itself.

The nominated Parliament the high-water mark of Puritanism.

To the nominated Parliament, therefore, belongs a noteworthy place in the historical development of England. Its mere existence, irrespective of the good or evil it may have essayed to do, exhibits the high-water mark of Puritanism in Church and State, of a Puritanism which, on the one hand, rejected all mundane influences and rights over the individual conscience, and upheld in opposition to the State a purely voluntary ecclesiastical system; and which, on the other hand, strove to use the absolute powers which it had under the most unlikely circumstances acquired to force this system—or rather, absence of system—on a nation which had never demanded it, and was never likely to demand it within any reasonable limits of time. The establishment of the

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Protectorate was an effort to stem the tide after it had begun to ebb, to secure the gains of the Puritan Revolution whilst curbing its excesses. It was for the future to reveal whether this effort would be successful, or whether, as was only too probable, the reaction would be strengthened till it swept away the men who were now attempting to guide it into constitutional channels. Cromwell and his associates had determined for all time what should not be. They had now before them a harder, probably an insuperable, task in determining what should take the place of the constitutional edifice they had destroyed.

CHAPTER XXIX.

THE FIRST MONTHS OF THE PROTECTORATE.

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Dec. 16. Cromwell installed as Protector.

On December 16 Cromwell, attired not in military uniform but in 'a plain black suit and cloak,' took the oath required in the Instrument in the Court of Chancery in Westminster Hall. Around him as he seated himself on a chair of State were the chief officers of the army, as well as the representatives of the civilian government—the judges and State officials, including the Lord Mayor and Aldermen of the City of London. Having received their obeisance, after the fashion of the former kings, his Highness, Oliver, the Lord Protector of the Commonwealth of England, was reconducted to Whitehall, assigned to him as the residence of the head of the State.[1] The Protector's passage through the streets was guarded by soldiers, and the acclamations raised were almost entirely confined to them and to Cromwell's own special partisans. The population of London, which had applauded his expulsion of the Long Parliament, accepted, for the most part, with submission the new master imposed on England by the soldiery. If the spectators ventured on any remark at all, it bore for the most part on the cleverness with which the new Protector had played his cards.[2]

[1] *Several Proceedings*, E, 222, 29.

[2] "Le peuple n'a donné aucune demonstration de joye, mais les

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Formation of the Council.

To bear down the spirit of opposition it was necessary, while accepting the Instrument as a sufficient working theory of politics, to win over the masses by a continuance in well-doing. In the formation of the Council named in the Instrument, Cromwell and the officers had contented themselves with nominating fifteen members, leaving six vacancies to be filled as later adhesions to the new Government came in. The events of the preceding year made it hopeless to expect the concurrence of such men as Vane or Bradshaw, or indeed of any one who had taken an active part in the Long Parliament. The fifteen named consisted of seven officers: Lambert, Fleetwood,[1] Skippon, Desborough, Montague,[2] and Sydenham, with eight civilians: Lord Lisle, the elder brother of Algernon Sidney, Sir Anthony Ashley Cooper, Sir Charles Wolseley, Sir Gilbert Pickering,

soldats par des salves et le canon de la Tour s'ont solennisé, et devant les maisons publiques il s'est faict les feux." Bordeaux to Brienne, Dec. $\frac{19}{29}$. *R.O. Transcripts.* The Venetian agent tells the same story at greater length. "In quest' occorenza son stato osservando questi popoli più confusi et attoniti che consolati senza che si sia inteso uscire alcun grido di publico e particolare contento. Ogn' uno si stringe nelle spalle; di tutti viene ammirata l' avveduta e destra maniera di questo soggetto, con cui è arrivato egli a questo segno di vedersi il disponitore assoluto in questo paese et di dar la legge a questi popoli; chi pentiti del passato et intimoriti della forza, et può dirsi avilliti, non mostrano più ardire per grandi rissolutioni, et si sottomettono a quella obbedienza et a quegl' aggravii che per l' adietro non potevano fare ne anco con l' immaginatione, per così dire." Pauluzzi to Morosini, Dec. $\frac{14}{24}$, *Letter Book R.O.* There must, however, have been some exceptions to the general silence, as Salvetti (*Add. MSS.* 27,962 O. fol. 177b) writes that the proclamation of the Protectorate was received with applause, the people preferring one master to many, and being alarmed at the proceedings of the late Parliament. If Salvetti was standing anywhere where lawyers were congregated, the discrepancy can be easily explained.

[1] Fleetwood was, for some time to come, absent in Ireland.

[2] Edward Montague, afterwards the Earl of Sandwich of Pepys and the Restoration.

Henry Lawrence, Francis Rous,[1] Richard Major, and Walter Strickland.

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With one possible exception, the members of the new Council were of the type of the men who usually rise to ascendency after a revolution has run its course—men of practical efficiency opposed to further changes in the State, and, above all, to anything savouring of fanaticism. Such men are usually content to devote themselves to the task of carrying on government without taking into account the theories on which any special government is founded. Such were the instruments of Napoleon, and such too were the councillors of Oliver.

Characteristics of the members.

The one member who does not quite fit into this description is Cooper. He had indeed gained Oliver's confidence by his steady application to business as a member of the three Councils which had rapidly succeeded one another since the forcible dissolution in April, and also as a member of the nominated Parliament, whilst it is moreover possible that his advice was in some measure taken in the arrangements for the new Protectorate, though, as a civilian, he had no place in those meetings in which the Instrument was concocted by the officers.[2] Yet there were distinctive features in Cooper's character which single him out from his colleagues. To the end of his life he was

Sir Anthony Ashley Cooper.

[1] Mrs. Green, in the list of attendances prefixed to the *Calendar of Domestic State Papers* for 1653–4, calls him Colonel Anthony Rous. The name in the Instrument of Government is, however, Francis Rous, and it stands as 'Mr. Rous' in the Order Book of the Council, from which Mrs. Everett Green derived her information.

[2] Burnet (ed. 1823, i. 165) says of Oliver that Cooper was 'one of those who pressed him most to accept of the kingship, because, as he said afterwards, he was sure it would ruin him.' The evidence is not worth much, but it seems likely that Cromwell would consult Cooper when the proposal was made to him by the officers, and that, if he did, Cooper would recommend its acceptance.

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distinguished by the shrewdness with which he anticipated the course of public opinion—a shrewdness which would have profited him little if it had been placed at the service of personal ambition, instead of being itself the result of sympathy with the main tendencies of the day. Little as is known of Cooper's opinions at this conjuncture, he may fairly be credited with the principles which formed a thread of continuity in his devious career, a dislike of clerical domination, and a belief that the forces of a State are increased rather than diminished by the practice of toleration.

Dec. 19. Lawrence Lord President.

When the Council met on December 19, it selected Henry Lawrence as its President for the first month. Lawrence had entered Parliament as a recruiter in 1646, and had done useful work on commissions, but had never risen to eminence as a politician. Before the month expired he was empowered by a warrant from the Protector[1] to retain his post permanently with the title of Lord President of the Council. He was a distant connection of Oliver's, and had at one time been his landlord at St. Ives. Four other members of the Council were more or less nearly connected by marriage with the Protector, Desborough being his brother-in-law, Mayor the father-in-law of his son Richard, whilst Pickering and Montague were more distantly connected with him.[2] Thurloe, who had been secretary to successive Councils since the spring of 1652, retained his office, having under his control the Intelligence Department which the Long Parliament had confided to Scot. Milton remained at the disposition of the Council, but his blindness incapacitated him from active official work, and

Thurloe secretary.

Milton and Meadows.

[1] On Jan. 16, 1654. Council Order Book, *Interr.* I, 75, p. 53.

[2] See a note in Masson's *Life of Milton*, IV. 545.

Philip Meadows, who had for some time acted as Latin translator, was given the full title of Latin Secretary.[1]

For the present, the efforts of the Protector and his Council were directed to the repression of the fanatical preachers who had been the backbone of the Advanced party in the late Parliament. They were not long in giving cause for the intervention of the Government. On the 18th either Feake or Vavasor Powell openly styled the Protector 'the dissemblingest perjured villain in the world,' adjuring any of his friends who might be present to report the words to him, and to add 'that his reign was but short, and that he should be served worse than that great tyrant the last Lord Protector.'[2] On the following day Feake, without mentioning Oliver's name, referred to him as the Little Horn of Daniel's prophecy, who was to make war against the saints, and afterwards to perish at their hands. Powell, who followed him, dwelt with greater emphasis on the same prophecy, averring that Charles I. was the King of the North, in whose place was to stand up 'a raiser of taxes in the glory of the kingdom; but within a few days he shall be destroyed neither in anger nor in battle.' "A small matter," cried the preacher, "would fetch him down with little noise." Then pressing into his service another prophecy relating to 'a vile person to whom they shall not give the honour of the kingdom; but he shall come in peaceably and obtain the kingdom by flatteries,' Powell drew attention to the prediction that

Dec. 18. The Fifth-Monarchy preachers assail Cromwell.

[1] Order Book of the C. of St., *Interr.* I, 71, p. 118; Council Warrants, *ib.*, xliv. 6.

[2] Intercepted letter, Dec. 22, *Thurloe*, i. 641. The last Protector had been the Duke of Somerset.

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'arms shall stand on his part.'[1] The great army men, and swordsmen, the preacher explained, should side with him. Yet for all that there was a Fifth Monarchy now being set up by Christ for the destruction of all anti-christian churches and clergy. "Lord," cried Powell in conclusion, "have our army men all apostatised from their principles? What is become of all their declarations, protestations, and professions? Are they choked with lands, parks, and manors? Let us go home and pray, and say, 'Lord, wilt thou have Oliver Cromwell or Jesus Christ to reign over us?'"[2]

Dec. 21–24. Feake and Powell before the Council.

Feake and Powell were summoned before the Council, kept in custody for four nights, and then liberated with a caution to offend no more.[3] Oliver might have regarded their proceedings with equanimity, but for the danger that a soldiery steeped in biblical language might take their predictions as a voice from Heaven. Nor was it less necessary to remove from a position of authority over the soldiers the one man amongst all who sympathised with the rabid utterances at Blackfriars, who was capable of setting an army in array. On the 21st, the day on which the two preachers were sent for, Harrison was asked whether he was prepared to act under the new government, and, giving a negative answer, was de-

Dec. 21. Harrison deprived of his commission.

[1] Daniel xi. 20, 21, 28, 31.

[2] Information of Marchamount Needham, Dec. 20, *S. P. Dom.* xlii. 59. On the day on which these sermons were preached appeared a pamphlet under the title of *The Temple's Foundation* (E, 724, 13). It contained a Bill, ostensibly intended to have been presented to Parliament, authorising juries of saints to punish sinners. As, apart from the nature of its contents, the publisher was George Calvert, who also published *An Answer to . . . a True Narrative* in the interests of the Moderate party, it may be taken as a mere political skit.

[3] Council Order Book, *Interr.* I, 75, pp. 7, 11; *Several Proceedings*, E, 2,233.

prived of his commission.[1] He was a brave and single-minded soldier, but, with his opinions on the relations between the civil and the ecclesiastical power, he was not one in whose hands any government, careful of the welfare of the State, could safely leave a sword. His position in the army was the more dangerous if there was truth in the rumour that his adherents in the nominated Parliament had thought, in the height of the recent crisis, of substituting him for Oliver as commander of the forces.[2]

1654 Jan. A fresh attack by the preachers.

It soon appeared that nothing short of actual compulsion would silence the exuberant rhetoric of the Fifth-Monarchy preachers. Early in the new year strong language was again used in the pulpit, and on January 10 orders were given to examine witnesses in the case of the offenders.[3] The legal difficulty that no existing law constituted an attack on the authority of the Protector an act of treason was easily surmounted by a temporary ordinance issued in accordance with the provisions of the Instrument.[4]

Jan. 19. The treason ordinance.

Powell escapes to Wales.

The Fifth-Monarchy preachers were not the men to take warning. Powell, indeed, had sufficient prudence to escape to Wales, where for some months he continued to preach sedition with impunity.[5] Feake

[1] *Thurloe*, i. 641.

[2] Salvetti's *Newsletter*, $\frac{\text{Dec. 30}}{\text{Jan. 9}}$, *Add. MSS.* 27,962 O. fol. 183. Harrison though not named is clearly referred to. Compare *An Answer to . . . a True Narrative*, E, 725, 20.

[3] Council Order Book, *Interr.* I, 75, p. 44.

[4] *Ordinance on Treason*, E, 1,063, No. 41. It was declared treason 'if any person or persons maliciously or advisedly either by writing, printing, openly declaring, preaching, teaching, or otherwise, publish' that the Protector and people in Parliament are not supreme, or that the administration was not in the Protector and Council, or that their authority is tyrannical, usurped, or unlawful.

[5] *Thurloe*, ii. 44, 93, 116.

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Jan. 28. Feake and Simpson imprisoned.

and another minister, John Simpson, set the ordinance at defiance in London. They were consequently arrested, and on January 28 committed prisoners to Windsor Castle.[1] Whatever an ordinance might say, it was not in Oliver's nature to bring misguided fanatics to the gallows. Harrison was treated with equal consideration. On February 3 he was ordered to retire to his father's house in Staffordshire.[2] Though at first he refused obedience, he submitted in the end, preaching an eloquent sermon to his followers before his departure.[3] "Surely, sir," wrote Roger Williams to a friend, "he is a very gallant, very deserving, heavenly man, but most high-flown for the kingdom of the saints and the Fifth Monarchy now risen, and their sun never to set."[4]

Anxiety about the Irish army.

If there were dangerous elements in the army of England, it was suspected that there were no less dangerous elements in the army in Ireland. The sympathy of Fleetwood and of most of the Irish Commissioners with the Baptists, amongst whom the Fifth-Monarchy movement had taken its origin, was undeniable.

Jan. 2. The Commissioners call a prayer meeting.

On January 2, when the news of the abdication of the nominated Parliament reached Dublin, the Commissioners issued a circular lamenting the end of an assembly on which their hopes had been fixed, and calling on all Christian people to join in prayer appropriate to the melancholy occasion.[5] Yet when it became known that a Protectorate had been established, the opposition arising from religious

[1] Council Order Book, *Interr.* I, 75, p. 77.

[2] C. of St. Order Book, *Interr.* I, 85, p. 92.

[3] Bordeaux to Brienne, Feb. $\frac{6}{16}$, *R.O. Transcripts.*

[4] Williams to Winthrop, July 12, Knowles' *Life of R. Williams*, p. 263.

[5] The Commissioners to the Commanders-in-Chief, Jan. 2, *Ludlow*, i. 540.

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animosity died away. Fleetwood, by no means a strong character, was as Oliver's son-in-law bound by personal ties to the new system, and was restrained by habits of military subordination from offering resistance to the general under whom he served, especially as the most respected of the London Baptists wrote to disclaim all participation in the views of the Fifth Monarchists. When the proclamation of the new authority was offered to the Commissioners for signature, the only refusal came from Ludlow, who stood in no relationship with the Baptist community. As his scruples were not to be overcome, the proclamation was ultimately, on January 30, sent out, in transparent neglect of the usual custom, with the signature of the secretary alone.[1]

Reception of the Protectorate at Dublin.

Ludlow's opposition.

Jan. 30. The Protectorate proclaimed.

Ludlow's opposition was based on grounds diametrically opposite to those of the Fifth Monarchists. Those who held that the saints ought to rule the world were as little likely to bow before an elected Parliament as to accept a King or a Protector.[2] Yet,

Fifth Monarchist and Commonwealth men.

[1] The Commissioners to the Commanders-in-Chief, Jan. 2, *Ludlow*, i. 373–375.

[2] The Fifth-Monarchy position is well put in a letter from the London Baptists to those in Ireland. They say that the substance of the preachings at Blackfriars might be summed up under two heads: 'First that it was the duty of the magistrates to own their power to be received immediately from Jesus Christ. From this the consequence would unavoidably have followed that they were only accountable to Christ for their actions, and not to men; and would not this have been the same with the late King, who, being persuaded by his prelates that he received his power immediately from God, was not accountable to the people's representatives? But the second thing held forth with great zeal by those friends was that the great rule by which they were to act in their proceeds towards the making of war or peace with the nations should arise from a spirit stirred up, as they say, by God to throw down potentates and powers rather than these prudential rules of justice and righteousness in the doing to all men as they would men should do to them.' Letter from Kiffen and others, Jan. 20, *Milton State Papers*, 159, 160.

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troublesome as they were to any settled government, these men had no future before them. The most dangerous enemies of the Protectorate were the Royalists and the Commonwealth's men, because they both anchored themselves on principles which had their roots in the past, and which had still a part to play in the future. Of the Commonwealth's men Ludlow was perhaps the most striking figure. Unimaginative and self-possessed, he had the advantage of grimly holding on to the doctrine which had once gained possession of his mind, all the more because he failed to see it in relation to other doctrines equally important. To the political thinker Ludlow is naturally the object of scorn. Why, it is asked, did he sacrifice himself for the supremacy of Parliament without asking whether such a Parliament as existed after Pride's Purge, or still more the one nominated by the army, was representative or not? It seemed almost as if Parliament was to him a fetish to be worshipped irrespectively of the sources from which it is drawn or the benefits it conferred. Yet, after all, Ludlow's view, broadly regarded, was not unreasonable. Between the two Parliaments which sat in 1653 and the one which in our own day sways the destinies of the nation, the gulf is no doubt profound; but a yet deeper gulf separated even the Parliament of nominees from the rule of the sword, and it was in protesting against this rule of the sword that Ludlow became the mouthpiece of future generations, whilst he also anticipated them in rejecting the opinion of the Levellers that no Parliament should be entrusted with power unless it were chosen by manhood suffrage.

When Henry Cromwell, who was sent in March by his father to report on the feelings of the Irish

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1654 March. Ludlow and Henry Cromwell

army, and to calm the excitement which prevailed in it, arrived in Ireland, a characteristic conversation between him and Ludlow throws light upon the divergence of the parties to which the two men had respectively given in their adhesion. Henry Cromwell urged the practical necessities of the time. Ludlow asked why his father had left 'his former station wherein his power was as great, and his wealth as much as any rational man could wish, to procure to himself nothing but envy and trouble.' "You that are here," replied the younger man, "may think he had power, but they made a very kickshaw of him at London." After hearing this description of Cromwell's position whilst the nominees were sitting, Ludlow fell back on the real strength of his position by arguing, 'that all things ought for the future to run in their proper and genuine channel; for as the extraordinary remedy is not to be used till the ordinary fail to work its proper effect, so ought it to be continued no longer than the necessity of using it subsists; whereas this that they call a government had no other means to preserve itself but such as were violent, which not being natural could not be lasting.' "Would you, then," answered Henry Cromwell, "have the sword laid down? I cannot but think you believe it to be as much your interest to have it kept up as any man."

Each of the two interlocutors saw one side of the position. Without the sword, argued Cromwell's son in effect, No protection of the interests and ideas which have grown up with the Revolution. With the sword, was the equally true reply, No permanent protection for anything. It was hopeless to attempt to bridge over this gulf. Ludlow refused to act as Civil

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Commissioner under the Protectorate whilst he consented to perform the duties of the military position which he had received from Parliament till the order arrived to supersede him, an order which, as he rightly foresaw, could not be long delayed. Before Henry Cromwell left Ireland, he strongly recommended that the unbending opponent of military interference in civil government should be excluded from the army.[1]

Feeling in London.

In the City of London, though Royalist and Presbyterian sentiments prevailed in the community at large, regard for order might be expected to have the upper hand, at least amongst the merchants and wealthier shopkeepers. The Fifth Monarchists and the nominated Parliament were not likely to find much support in commercial circles, and the Lord Mayor and Aldermen invited the Protector and his principal supporters to a banquet to take place on February 8, in Grocers' Hall.

Cromwell invited to a banquet.

Feb. 8. Cromwell in the City.

On the appointed morning Cromwell was received at Temple Bar with all the ceremonies formerly paid to kings. As he passed along Fleet Street, Ludgate Hill, and the Poultry, the sides of the way were lined with the members of the City Companies sitting bareheaded on the benches provided for them. Yet, though the Protector doffed his hat repeatedly, neither by them nor by the crowd behind them was a shout of applause raised. In his own person, indeed, he had once more taken care to display the civilian character which he had assumed. He was dressed in a musk-coloured suit richly embroidered with gold. The order of the procession which followed told a tale of military predominance. First came 'about three-score colonels, and other superior officers in very rich habits.' Only after they had passed,

[1] *Ludlow*, i. 380-383.

appeared the coaches of the members of the Council. Arrived at Grocers' Hall, there was a sumptuous entertainment[1] accompanied by music and the thunder of the Tower guns, and enlivened by the recitation of the best verses of which the City poet was capable.[2] In the end the Protector received a gift of plate valued at 2,000*l*., and knighted the Lord Mayor, now Sir Thomas Viner, in return. He did not leave till after dark, when he moved back to Whitehall amidst the blaze of three hundred torches. As in the morning, the crowds which thronged the streets preserved a sullen silence, and from the upper window of one house a large stone was aimed at his coach. It fell wide of the mark, and every attempt to discover the offender proved unsuccessful.[3]

Royalist sentiments in the City

That the dissatisfaction with military government should take the shape of a desire for a restoration of the old monarchy, coupled with a sense of the hopelessness of resistance, was perfectly natural. There were signs, it was thought sent by heaven, to warn

[1] A dinner followed by a banquet—*i.e.* a dessert—in another room. The practice at the universities of leaving the hall for dessert in the common room is a survival of this custom.

[2] There was also a song prepared, but it seems in great haste :—

Come away, blest soul, no more
Feed your eyes with what is poor;
It is enough that you have blest
What was rude, what was undressed.
Come away and cast your eyes
On this humble sacrifice;
We no golden apples give,
Here's no Adam, here's no Eve,
Not a serpent dares appear,
Whilst your Highness stayeth here.
O then sit, and take your due,
Those the firstfruits are that grew.

The Weekly Intelligencer, E, 729, 9.

[3] *Ib.*; *Merc. Pol.* E, 729, 1; *A Perf. Account*, E, 729, 12. Paluzzi to Morosini, Feb. $\frac{11}{21}$, $\frac{18}{28}$, *Venetian Transcripts R.O.*

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men that the present tyranny would soon be overpassed. The Thames had flowed and ebbed two hours before the proper time, as it had done in anticipation of King Charles's execution. Part of the wall of St. Paul's had come down with a crash. A comet had appeared in the sky, and, above all, the ghost of the late King had been descried flitting through Whitehall.[1] It was probably not without design that, on the very day on which the Protector visited the City, a pamphlet,—*The True State of the Case of the Commonwealth*,—was issued to win public opinion to the side of the new Government, not only by imputing blame freely to the nominated Parliament, but by emphasising and even exaggerating the part to be played by the people and their representatives under the Instrument.

The True State of the Case of the Commonwealth.

An appeal for support.

"Let us ruminate then, a little," was the conclusion drawn . . . "and behold the great hopes and blessed benefits of security and freedom that we have and may shortly enjoy under the Government as it is now established. The quarrel for hereafter is not between two persons contesting both for a crown; it is not the interest or grandeur of any single person or particular family that is contended for on our part; but, if ever the enemy should, for our sins, arise to the possibility of a future contest, remember what it is he fights for and what must be the wretched consequence of his prevailing; remember also what we of this nation are to stand for, the preservation of our religion, our liberties, and all that is dear and precious among men, which appear plainly to be embarked in the great bottom of this present establishment. If we

[1] All this is given in Pauluzzi's letter of Feb. $\frac{11}{21}$. A little later, on March 9, we hear that the great south gate of St. Paul's had fallen down in the course of the week (*Merc. Pol.* E, 731, 21).

falter, or be misled through fantasy, or if that fail through our default, we are immediately swallowed up by tyranny, and have nothing left to do but to put our mouths in the dust, and sit down in sorrow and silence for the glory of our nation. . . . Having therefore a fair and noble way of administration provided, under which men may live in a plenary enjoyment of their liberty as Christians and their rights as men; we do not, we cannot in any measure doubt . . . but that we shall find a ready and cheerful concurrence from all sober persons, and have ground chiefly to expect it for all the people of God, though of different judgments, seeing equal liberty is given to them all . . . and the principal care is for preserving true religion, and the countenance of its professors. . . . When we look back upon what is done, we find nothing that stares in our faces; and if there could have been imagined any better way of settlement, we should have embraced it with the same spirit of submission; but here we see our friends have taken in the good of all the three sorts of government and bound them all in one. If war be, here is the unitive virtue—but nothing else—of monarchy to encounter it; and here is the admirable counsel of aristocracy to manage it. If peace be, here is the industry and courage of democracy to improve it. And whereas in the present constitution the legislative and executive powers are separated; the former being vested in a constant succession of Parliaments elective by the people, the latter in an elective Lord Protector and his successors assisted by a council; we conceive the state of this Commonwealth is thereby reduced to so just a temper that the ills either of successive Parliaments furnished with powers both of executing and making laws, or of a perpetual

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Parliament—which are division, faction and confusion—being avoided on the one side, and the inconveniences of absolute lordly power on the other; the frame of Government appears so well bounded on all sides against anarchy and tyranny that we hope it may now, through the blessing of God, prove a seasonable mean, as for the better defending these dominions against enemies abroad, and promoting our interests in foreign parts, so also of peace and settlement to this distracted nation; and be of a durable continuance to succeeding ages for the glory of the most high God, the advancement of His gospel, the protection of His people, and the benefit of posterity."[1]

Was Oliver a Cæsar?

In haranguing Oliver as he passed through Temple Bar, the Recorder of the City had reminded him that it might be left to other nations 'to salute their rulers and victorious commanders with the name of *Cæsares* and *Imperatores*.'[2] The irrepressible verse-writers of the day would not have it so. One of the fraternity who composed a poem in honour of the Protector's visit to the City, addressed him as a greater than Cæsar, because he had refused to be a Cæsar. Yet a Cæsar he should be when he had burnt Rome, the profane seat of idolatry.[3] Meanwhile, it was his task to maintain the sovereignty of the sea. He had already beaten down the tyrant, and had converted subjects into citizens, and had taught the soldiers to put on the garb of civil life. By him chaos had been reduced into an orderly world. It was a fascinating

Oliver declared greater than Cæsar.

[1] *The True State of the Case of the Commonwealth*, E, 728, 5.

[2] *Mr. Recorder's Speech*, E, 729, 2.

[3] 'Cæsare major adest, quia noluit esse: coronam
Accipiant alii: se potuisse sat est.
Cæsar et alter erit, si quid præsagia possint,
Cum petet igne tuos, Roma profana, deos.'
Merc. Pol. E, 729, 14.

picture, if only because it sketched out the two leading features of Cromwell's foreign policy: the mastery of the sea and the overthrow, or at least the weakening, of the Papacy.

1654 Object of Oliver Cromwell's policy.

In handling the ordinary concerns of government, the Protector appeared to be inspired by a desire to avoid all appearance of arbitrary rule. In his choice of judges, at least, he consulted the interests of the nation as a whole. Ten of those already on the Bench were retained in their places. Two, Chief Baron Wilde and Puleston, a puisne judge of the Common Pleas, were discontinued, both of whom had made themselves notorious, in the opinion of Royalists, for their violence and unfairness to prisoners who had served the King—Wilde especially, in the case of Captain Burley, and Puleston in the case of Captain Morris.[1] If it is inferred from the passing over of these two judges that Cromwell desired to conciliate the Royalists, that inference is strengthened by his appointment of Matthew Hale as Puleston's successor.[2] Cromwell's attention had been drawn to that eminent lawyer by his services as one of the Law Commissioners appointed by the Long Parliament, and Hale consented—upon strong instances from his Royalist friends—to take part in the administration of justice, though only on the condition that he should be excused from taking part in the trial of political prisoners. The compromise was creditable to both parties.[3]

Cromwell's dispositions on the Bench.

Wilde and Puleston not reappointed.

Jan. 25. Hale on the Bench

It was not long before the judges of the Upper

[1] See vol. i. 46, and *Great Civil War*, iv. 54.

[2] Wilde's post remained vacant for some time.

[3] The information on these changes is collected in Foss's *Lives of the Judges*, under the respective headings. Foss was doubtful of the date at which Puleston ceased to be a judge, but it is strongly probable that his supersession was at this time.

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1653 Sept. 12. Streeter's imprisonment by the Council.

Nov. 21. He is re-committed by Parliament.

The judges refuse to bail him.

1654. Jan. 23. After the dissolution he again applies to the Upper Bench,

Feb. 11. and is liberated.

The Protector not compromised.

Bench had occasion to give a decision which at least testified to their entire independence of the Government. On September 12 a certain Captain Streeter had been imprisoned by the then existing Council of State for publishing seditious pamphlets.[1] On his application for a writ of *habeas corpus*, Parliament on November 21 re-committed him, and no argument on behalf of the prisoner could shake the judges in their opinion that a committal by Parliament —despite the anomalous character of the assembly which then styled itself by that august name—could be questioned in any court of law. With the abdication of Parliament, however, the whole legal aspect of the case was changed. The only warrant for Streeter's committal retaining any semblance of validity was that from the late Council of State, and when, on January 23, Streeter once more took out his writ of *habeas corpus*, the judges, though reluctant to give a hasty decision, pronounced ultimately on February 7 that an Order of Parliament ceased to be of force after a dissolution. As even the Attorney-General, who appeared for the Government, did not venture to suggest that the Council could lawfully imprison, except as a preliminary to a trial in the Upper Bench, the decision in favour of the liberation of the prisoner was a foregone conclusion, and on February 11 he stepped forth into the world as a free man.[2]

Neither directly nor indirectly were the Protector and his Council compromised by this judgment. Yet it certainly deprived them of a weapon which past governments had been in the habit of using freely. A practical point, which they were called on to decide

[1] C. of St. Order Book, *Interr.* I, 20, p. 363.

[2] *Clavis ad aperienda Carceris Ostia* (E, 731, 18) contains a full report of the case.

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at once, was whether they should allow the prison doors to be thrown open to Lilburne, who was certain, unless means were taken to prevent him, to make the application which had proved successful in Streeter's case. On consideration, they resolved to evade the operation of the law. On March 16 the Council ordered the transportation of Lilburne to Mount Orgueil Castle in Jersey, where the writ of the Keepers of the Liberties of England did not run.[1] Nevertheless, on an application on Lilburne's behalf, a writ of *habeas corpus* was issued,[2] to Heane, the governor of the island, but was disregarded by that officer,[3] whose conduct was unhesitatingly sustained by the Council.

Is Lilburne to be set free?

March 16. Lilburne sent to Jersey.

May. Writ of *habeas corpus* issued,

June. but not acted on.

Lilburne's case may fairly be regarded as exceptional, and in all matters in which the safety of the State was not directly concerned, the anxiety of the Protector to keep within the measure of the law was beyond dispute. His desire to calm down the agitation to which the proceedings of the nominated Parliament had given rise is best manifested by the character of the eighty-two ordinances which he and his Council issued, in accordance with the permission given by the Instrument up to September 3—the day on which Parliament was to meet. Many of these, indeed, were of an administrative character, or

Moderation of the Protector's policy.

The eighty-two ordinances.

[1] C. Order Book, *Interr.* I, 75, p. 171.

[2] *A Declaration of the Freeborn People of England*, E, 735, 18, published on May 23.

[3] C. Order Book, *Interr.* I, 75, p. 336; *Perf. Diurnal*, E, 229, 11. This is the beginning of the evasions of the law which, when imitated by the Restoration Government, led to the *Habeas Corpus* Act of 1679. Prynne and his fellows were sent out of England by order of the Court of Star Chamber, at that time a legal court, against the decisions of which no writ of *habeas corpus* would be available. These cases therefore differed in this respect from that of Lilburne, though they may very likely have suggested the line taken by the Council of the Protectorate.

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at least of purely temporary interest. Not a few rise into the atmosphere of statesmanship.[1]

Jan. 19. The ordinance for taking the Engagement repealed.

The nominated Parliament had deprived the Engagement of its most tyrannical consequences by directing that those who refused it should no longer be debarred from seeking a remedy in the law courts for wrongs to which they had been subjected.[2] On January 19 the whole of the ordinance enforcing it was repealed by the Protector, and no one was any longer obliged to promise, even as a test for office, that he would be faithful to the Commonwealth 'without king or House of Lords.' For the first time since the Covenant had been imposed in 1643, there was an entire absence of any formula to which men were required to give their assent on pain of being regarded as bad citizens amenable to the justice of the State. Such 'general and promissory oaths and engagements,' the Protector declared, had 'proved burdens and snares to tender consciences.' From henceforth no man was to be counted disloyal to the existing Government who did not assail it by his acts.[3]

March 31. Cock-fighting prohibited.

Tolerant of opinion as he was, Oliver was not tolerant of practices tending to immorality of any kind, especially when they proceeded from a class of persons instinctively hostile to a Puritan Government. On March 31 he prohibited public cock-fights on much the same grounds as those on which bear-baitings had been condemned by the nominated Parliament. Such meetings, he declared, 'are by experience found to tend many times to the disturb-

[1] The Treason Ordinance has already been mentioned (see p. 303, note 4). Those relating to Scotland and Ireland will receive treatment in their proper place.

[2] See vol. i. p. 215.

[3] *Scobell* ii. 277.

ance of the public peace, and are commonly accompanied with gaming, drinking, swearing, quarrelling, and other dissolute practices to the dishonour of God, and do often produce the ruin of persons and their families.'[1] Yet he took care to emphasise his view that it was the disorderly result of the amusement, and not the amusement itself, that he condemned, by attending a hurling-match in Hyde Park on May Day, where fifty Cornish gentlemen a side contended for the silver ball used in the game, and which was followed by a display of Cornish wrestling.[2]

May 1. Cornish games in Hyde Park.

The capacity of the new Government for dealing with complicated problems would be best illustrated by its attitude towards the two burning questions of Chancery Reform and Church Reform. As to the former, a long ordinance was issued on August 21 with the intention of making access to the Court easier and less expensive than it had hitherto been.[3] Such an attempt was necessarily open to criticism, and it might safely be predicted that the criticism which it would meet with at the hands of lawyers accustomed to the old system would be peculiarly searching.

Aug. 21. Chancery reform.

In dealing with the Court of Chancery, the Protector and his Council had shown themselves conservative reformers, anxious to retain as much of the existing system as could be left untouched without

[1] *Scobell*, ii. 283.

[2] *The Weekly Intelligencer*, E, 734, 3.

[3] *Ib.* ii. 324. Mr. Inderwick discusses the ordinance in *The Interregnum*, 224–229. The general result of his opinion is that though it embodied great and useful reforms, it did not sufficiently take into account the evil likely to ensue from substituting 'hard-and-fast rules for the flexibility necessary to a due administration of equity,' but reminds his readers (p. 222) that there was good ground for the attack on Chancery, as there was then no definite system of equity law in existence.

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doing positive evil. In dealing with the Church, or rather with the Churches, they were actuated by precisely the same spirit. With the limits of toleration, indeed, they did not profess to meddle. That point had been settled by the Instrument itself. The questions at issue in the late Parliament had revolved round the appointment and payment of ministers. The advanced party—though every member of Parliament who voted in the majority on the fateful December 12[1] by no means belonged to it—had aimed at establishing a purely voluntary system, under which ministers were to receive no support whatever from the State or any source under the control of the State, and were to be appointed by their congregations, patronage being thus entirely abolished. Against this the framers of *The Instrument of Government* had set their faces. There was to be an Established Church surrounded by voluntary congregations. The only questions now before the Protector and Council were how the ministers of that Church should be appointed and dismissed, how far they should be restrained to teach any definite doctrine, and from what sources they should be paid. The question of appointment was settled by an ordinance of March 20, that of dismissal and, incidentally, that of restrictions on teaching, by an ordinance of August 28.[2] The question of maintenance was not touched at all.

Church reform.

An Established Church to be maintained.

Questions still unsolved.

Question of tithe.

The omission was the more noticeable as *The Instrument of Government* had held out a prospect, if not of the complete abolition of tithes, at least of their commutation to some 'provision less subject to scruple and contention, and more certain than the

[1] See p. 276.

[2] *Scobell*, ii. 279, 335.

present,' especially as Oliver himself was believed to be favourable to the change. The explanation given by himself, that he was outvoted by his Council, though not in accordance with modern ideas as to his relationship with that body, is quite consistent with the glimpses vouchsafed to us into the inner workings of the Government, and may safely be accepted as true. The members of the Council had been selected as the opponents of headlong and unpopular reform, and it was only in accordance with the mental habits of mankind, that they should set themselves against a reform which, though it might be neither headlong nor unpopular, would certainly have entailed a great amount of trouble on those who originated it, and would have aroused a strong opposition from those who were interested in the maintenance of long-standing abuses.[1]

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Oliver outvoted in the Council.

Whatever might be done or left undone in the matter of tithe, it was absolutely necessary to face the question of Church organisation. It was no more than was to be expected that the Protector should take as a basis the propositions which had been developed by Owen and his co-signatories from a clause in *The Agreement of the People*, and had been accepted on February 11, 1653, by the Propagation

Former proposals on Church organisation.

[1] In a conversation held in December 1654 Oliver was charged with having broken his word 'in his promise about tithes to be taken away before September 3.' He replied 'he wist not whether he had said so or no; but he heard Mr. Jessey should report it of him, in which he had not done well; and for his part he could not do it, for he was but one, and his Council allege it not fit to take them away.' (B. T. to —— (?) December 21, *Clarke Papers*, ii. Pref. xxxvi.) If Oliver had expressed his wish—or perhaps his expectation—that the half-promise given in the Instrument might be carried out by an ordinance before September 3, the whole story acquires consistency. Jessey may have exaggerated the words into a personal engagement. That the phrase 'take away tithes' means no more than the commutation in Oliver's mouth cannot be proved, but see p. 32.

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Committee of the Long Parliament in an amended form.[1] He had also before him the report of the Committee on Tithes in the nominated Parliament.[2] In none of these schemes was a word said about ordination. The State, from the point of view of their authors, had nothing to do with the forms by which a man was set apart for the ministry, or whether he had submitted himself to any forms at all. All that it was concerned with was his right to the payment of a settled maintenance if he desired to place himself in a position in which such maintenance was secured to him, under certain conditions, by the law.

March 20. Commission of Triers.

By an ordinance issued on March 20, provision was made for the appointment of ministers to benefices. In this ordinance the recommendations of the Propagation Committee were followed in the main. The right of patronage was to remain intact, but the minister after he had been presented to a benefice was to submit himself to inquiry by a body of commissioners authorised to act as triers in his case. According to the scheme accepted by the Propagation Committee, these triers were to form a separate board in each county, and were to found their action on a certificate from 'six godly ministers and Christians.' The report of the Committee on Tithes merely suggested that counties should be grouped, and that the commissioners appointed for the different circuits should be empowered 'to settle godly and able persons to preach the Gospel in all void places.' The Protector's ordinance appointed a general Commission of Triers for the whole of England and Wales, meeting in London or Westminster, composed of ministers and laymen; and contented itself with requiring the certificate of three persons of known godliness and integrity, one

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of whom was to be a settled minister, testifying to the holy and good conversation of the person to be admitted to the benefice, after which the commissioners were to approve of him 'to be a person for the grace of God in him, his holy and unblamable conversation, as also for his knowledge and utterance, able and fit to preach the gospel.' In other words he was to be religious, moral, and capable. Further limitations, if any there were to be, were left to be dealt with in the future ordinance on ejection. This scheme was to come into force on March 25, but was to apply to all appointments made from April 1, 1653. A further determination of the ordinance settled a question not touched upon by the earlier schemers. Owen's proposal had left the question of patronage out of account. The nominated Parliament had loudly called attention to the abuses of that system,[1] but its complaints, however well founded, had only served to provoke a reaction which the Protector was bound to take into account, and with which he probably sympathised. The right of patrons to present to benefices was therefore fully accepted in the ordinance; its object being to check their power of making unfit appointments, not to abolish it altogether. The conservative instinct of the country protesting against further change than is necessary to promote efficiency was abundantly satisfied.

Aug. 28. Commission of Ejectors.

On the question of the ejection of scandalous or unfit ministers, the plan of the Propagation Committee had been to give power to a general commission to divide itself into sections for the purpose of visiting a special group of counties, and to associate with its own members persons with local knowledge in each county, and this system was substantially identical

[1] See p. 274.

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with that recommended by the Committee of Tithes. The ordinance of the Protectorate, on the other hand —perhaps on the ground that commissioners coming from headquarters must necessarily be dependent on local knowledge—appointed a separate body of commissioners drawn from the county itself, or, in the case of the more thinly populated districts, one body for a group of counties. These commissioners were to have the power of ejecting, upon charges brought before them, all ministers and schoolmasters 'scandalous in their lives and conversations,' or those who 'shall be proved guilty of holding or maintaining such blasphemous and atheistical opinions as are punishable by' the Blasphemy Act of 1650,[1] 'or guilty of profane cursing or swearing, perjury, subornation of perjury,' this, together with 'such as shall hold, teach, or maintain any of those Popish opinions required in the oath of abjuration [2] mentioned in an ordinance of Parliament of the 19th of August, 1643, to be abjured, or be guilty of adultery, fornication, drunkenness, common haunting of taverns or ale-houses, frequent quarrelling or fighting, frequent playing at cards or dice, profaning of the Sabbath day, and such as do or shall allow the same in their families, or countenance the same in their parishioners or scholars; such as have publicly and frequently read or used the Common Prayer-book since the first of January last, or shall at any time hereafter do the same; such as do publicly and profanely scoff at or revile the strict professors of religion or godliness, or do encourage and countenance by word or practice any

[1] See vol. i. p. 395.

[2] This oath renounces the Pope's authority, the doctrine of transubstantiation, and disclaims belief in the existence of purgatory, in worship being due to the consecrated host, crucifixes or images, and in salvation merited by works (*Scobell*, i. 50).

Whitsun-ales, wakes, morris-dances, may-poles, stage-plays, or suchlike licentious practices, by which men are encouraged in a loose and profane conversation; such as have declared or shall declare by writing, preaching, or otherwise publishing, their disaffection to the present Government. Such ministers shall be accounted negligent as omit the public exercises of preaching and praying upon the Lord's Day—not being hindered by necessary absence or infirmity of body—or that are, or shall be non-resident; such schoolmasters shall be accounted negligent as absent themselves from their schools, and do wilfully neglect their duties in teaching their scholars.' In the case of an ejected minister leaving his benefice without resistance, the commissioners were empowered to set aside for the benefit of his wife and children a fifth of his successor's income from the benefice vacated.

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The Church of the Protectorate.

Such were the foundations of the Established Church conceived in the mind of John Owen, and reduced to practical shape by Oliver. With the exception of the condemnation of the use of the Common Prayer, the scheme was in the highest degree broad and generous, and it is well to remember that those who strove to revive the use of the Common Prayer were a political as well as an ecclesiastical party, and that the weight and activity of that party, except so far as it appealed to the indifferent in religion, were out of all proportion to its numbers.[1] The great bulk

[1] Baxter's description of the influence of a gentleman at Kidderminster is worth quoting: "One knight—Sir R[alph] C[lare]—which lived amongst us, did more to hinder any great successes than a multitude of others could have done: though he was an old man of great courtship and civility and very temperate as to diet, apparel and sports, and seldom would swear any louder than 'by his troth, &c.' and shewed me much personal reverence and respect, beyond my desert, and we conversed together with love and familiarity; yet—having no relish of this preciseness and extemporary praying, and making so much

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of the religious population had attached themselves to one of the three great sections—the Presbyterians, the Independents, and the Baptists. All three preached much the same Gospel, though they differed on special points—the Presbyterian from the other two on organisation, the Baptist from the other two on the age at which baptism should fitly be administered. To Oliver it seemed indifferent whether a preacher took one view or another on these special points. The blot on the system was, no doubt, that it was left to the patron to decide whether the minister of a parish should hold one or the other opinion on these points, but the members of a recalcitrant congregation were at least able—as they had not been able in the days of Laud—to desert the parish church, and to gather round a minister whose teaching was more to their taste.

ado for heaven; nor liking that which went beyond the pace of saying the Common Prayer, and also the interest of himself and his civil and ecclesiastical parties leading him to be ruled by Dr. Hammond; his coming but once a day to church on the Lord's days, and his abstaining from the sacraments, &c. as if we kept not sufficiently to the old way, and because we used not the Common Prayer Book when it would have caused us to be sequestered; did cause a great part of the parish to follow him, and do as he did, when else our success and concord would have been much more happy than it was. And yet civility and yielding much beyond others of his party—sending his family to be catechised and personally instructed, did sway with the worst almost among us to do the like." *Rel. Baxterianæ*, 94. This lifelike picture probably gives a fair idea of what occurred in other parts of England. A certain number of landowners are attached heart and soul to Episcopacy; others are mildly dissatisfied with the strictness of Puritanism, and stay away from church more than their minister approves of. The latter class especially have a strong influence on their dependents, who are quite ready to follow the example of staying away from church. Baxter's story of his own life may be sought in vain for evidence of any strong popular movement in favour of Episcopacy and the Prayer-book, though people like the imitators of R. C. would be quite ready to support them both—probably with no little violence—if the old ecclesiastical institutions got the upper hand by reason of a political revolution.

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No doubt the working of the institution thus launched depended mainly on the character and wisdom of the commissioners. Puritan clergy were apt to push their inquiries into minute phases of doctrine[1] and practice, but there was nothing in the ordinance itself to encourage them to do more than convince themselves of the spiritual earnestness of the candidate presented to a benefice.

No minute inquiries justified by the ordinance.

With these provisions for the appointment of fit ministers and for the elimination of unfit ones, the interference of the State ended. Whether any discipline was to be exercised in the parishes was a question to be settled by the ministers themselves, with the concurrence of their congregations. By the Presbyterian clergy, whose whole system of compulsory discipline had fallen into disuse,[2] the want was specially felt. One of their number, Richard Baxter, who was as distinguished for his charity towards those from whom he differed in non-essentials, as for the controversial vigour with which he assailed extreme opponents, conceived the idea of substituting a voluntary for a coercive jurisdiction. In his own parish of Kidderminster he won over a considerable number of persons—600 out of the 1,600 who were of age entitling them to become communicants—to bind themselves to accept a system which authorised the minister to investigate charges brought against any member of his congregation, though the refusal o communion had to be ratified by the congregation itself.

No provision for internal discipline.

The Presbyterian discipline in disuse.

Baxter's system of voluntary discipline.

Nor was it only by the establishment of congrega-

[1] For a bad instance—if the report can be accepted as correct—see *Inquisitio Anglicana*, 698, g. 12, No. 4. See, too, the case of O. Pordage, *State Trials*, v. 539.

[2] See p. 13.

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Proposes an association.

tional discipline that Baxter showed an appreciation of the needs of his age. Why, he asked, should not the ministers of the county of Worcester form an association for mutual encouragement in their work, and for discussion on their parochial action, irrespective of their differences of opinion? The idea was not long in taking root in the county, and on December 22, 1652, a Worcestershire petition was presented to the Long Parliament asking, amongst other things, that the peaceable divines of each party might be called together to report on 'a meet way for accommodation and unity.'[1] What Parliament could not do, Baxter carried out by his own energy. Before long the Worcestershire Association was well known as a school of charitable helpfulness in which Presbyterian, Independent, and even partisans of moderate Episcopacy united together, without derogation to their individual opinions on church government, in order to assist one another in the ministerial work common to all.[2] In due time the example set was followed by the clergy in other counties. Baxter, indeed, counted Oliver as a traitor and a rebel, but there was no man in England whose action commended itself more highly to the heart of the Protector.

1652. Dec. 22. The Worcestershire petition.

[1] *The Humble Petition of the County of Worcester*, E, 684, 13.

[2] *The Worcestershire Petition Defended*, E, 693, 18; *Church Concord*, T, 749, 4; *Rel. Baxterianæ*, 84-98, 146-149.

CHAPTER XXX.

THE STRUGGLE FOR THE NORTH SEA.

1654

Foreign relations of the Protectorate.

THE problems of domestic legislation were far from being the most difficult with which the Protector had to cope. In his relations with foreign powers he had inherited a situation of extreme complexity. Not only did the war with the Dutch Republic continue, but the Government was entangled in a double negotiation with both France and Spain, from which it could hardly escape with credit. Nor could Oliver with any semblance of justice throw the whole of the blame on his predecessors. If they had engaged the country against his wishes in the Dutch war, it was with his full consent, and partly at his direct instigation, that plans had been laid for an alliance, at one time with France against Spain, at another time with Spain against France.

1653. March. Danger of Bordeaux.

In March 1653, during the closing days of the Long Parliament, Cromwell's leanings were towards an agreement with Spain, to be followed by action on behalf of the French Protestants and the City of Bordeaux. Yet by this time the resistance of Bordeaux was breaking down. Conti's Government was unpopular with all classes, whilst the democrats of the Ormée irritated the lawyers and traders. Vendôme blockaded the Gironde with the King's fleet, and on land one fortified post after another fell

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into the hands of the royal army. Piteous appeals were despatched to Madrid, and Philip was told that unless his fleet now gathering at Passages were speedily despatched, the cause of Spain and Condé was lost in Guienne.[1] When at last the fleet was ready, the defection of Le Daugnon, whose port of Brouage was to have afforded a base of operations against Vendôme, made new counsels necessary, and on March 25, though this event had not as yet been publicly announced, doubts were expressed at Bordeaux on the efficacy of Spanish aid.

March 25. Doubts of Spanish aid.

Commissioners sent to England.

The party of the Ormée accordingly resolved to appeal to England for assistance in money, ships, and men. Three commissioners, of whom the principal was a lawyer named Trancas, were instructed to lay before Parliament the case of the Bordelais. In return for a promise of help they were to offer possession of a port on the Gironde, or, if the English Government preferred it, of Arcachon or Rochelle. The towers which formed the only remaining fortification of the latter place were, however, still held by the King's troops, and it would be necessary to dislodge them.[2]

May. The commissioners in England.

Before the commissioners reached England the Long Parliament had fallen, and their credentials were presented to the Lord-General. Barrière, as might have been expected, did his best to support their prayer, and Cardenas was no less urgent.[3] So hopeful was the Spanish party on the Continent of

[1] Lenet to Watteville, March 4; Lenet to Condé, March 4; Longchamps to Lenet, March 9, *Bibl. Nat. Fr.* 6714, fol. 33, 39, 57.

[2] Powers given to the commissioners, $\frac{\text{March } 25}{\text{April } 4}$. Instructions to the commissioners, $\frac{\text{March } 29}{\text{April } 8}$, Cosnac, *Souvenirs du Règne de Louis XIV*, vii. 3, 478. Guizot mistakenly, as M. Cosnac points out, says that Oléron was offered to England; it had previously been offered to Spain.

[3] Barrière to Condé, May $\frac{20}{30}$, *Chantilly Transcripts.*

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winning Cromwell to its side, that Condé drank his health at Antwerp as 'the wisest, greatest and ablest commander in Europe.'[1] Yet though Cromwell was by no means disinclined to the adventure, it was impossible for him to incur its risk until the Dutch war had been brought to an end. All, therefore, that Cardenas could secure was the permission to hire six or eight ships from English merchants to be employed in the succour of Bordeaux. Yet even this limited assistance came to nothing, because after ships had been hired, the Spanish ambassador found it impossible to man them, all available mariners having been pressed into the navy to fight the Dutch.[2] In the meanwhile the Spanish squadron had put to sea, but, ill-manned and ill-found, it did not venture to attack the enemy, and, though remaining some months longer in the Gironde, it made no serious attempt to relieve Bordeaux. At the same time 4,000 Irish in the Spanish service, who were intended to break up the French Royalist forces by land, deserted in a body.[3] On July 20 Bordeaux surrendered, and resistance to the King in the south of France came to an end.

Ships hired by Cardenas.

July. They cannot be manned.

June 25. July 5. Failure of the Spaniards to relieve Bordeaux.

July $\frac{20}{30}$. Surrender of Bordeaux.

That the Dutch war was still raging was mainly attributable to the persistency with which the English Council of State continued to press for conditions of peace to which no self-respecting government would submit except under the direst necessity. When, therefore, on April 6, the letter of Parliament[4] offering to take up the negotiation at the stage at which it had been dropped by Pauw reached the Hague, De Witt—who although not formally ap-

Continuance of the Dutch war.

The English terms unacceptable at the Hague.

[1] Nicholas to Hyde, May $\frac{19}{29}$, *Nicholas Papers*, ii. 14.

[2] Bordeaux to Brienne, July $\frac{7}{17}$, $\frac{11}{21}$, *R.O. Transcripts*.

[3] Baradouna to the Doge, July $\frac{6}{16}$, Aug. $\frac{10}{20}$, *Venetian Archives, Spagna*.

[4] *Aitzema*, iii. 805; see p. 183.

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pointed Pensionary of Holland till July, had for some time been fulfilling the duties of that office—was eager that his countrymen should accept the hand held out to them. Yet anxious as he was to see peace restored, he could not recommend the acceptance of any proposal which implied the acknowledgment that Tromp had maliciously brought about the war, or which derogated from the national independence of the Republic. If no other reason had weighed with the young statesman, it would have been enough that merely to entertain such a proposal would have inevitably resulted in an Orange revolution in the Netherlands.

April $\frac{20}{30}$. A new proposal from the Hague.

With these rocks ahead, De Witt contented himself with asking the States General to agree to the opening of a fresh negotiation in some neutral town. Even for this he secured no more than the votes of four provinces. Though it was constitutionally doubtful whether any further step could be taken without the approval of those Provincial States by which the recalcitrant deputies had been appointed, the States of Holland, whose commerce was bleeding at every pore, passed on the resolution of the majority to England.[1] On May 6 it was summarily rejected by the new Council of State appointed immediately on the dissolution of the Long Parliament, but assurances were at the same time given that there was no wish to press the Dutch hardly in the interpretation of the offensive articles[2] in the treaty which had been under discussion before the outbreak of the war.

May 6. Its rejection in England.

[1] The States General to Parliament, April $\frac{20}{30}$, *Aitzema*, iii. 806; De Witt to Van Beuningen, $\frac{\text{April } 25}{\text{May } 5}$; Verbael, in De Witt's *Brieven*, v. 121; compare *Geddes*, i. 292–297.

[2] A Declaration of the Council of State, May 6, *Thurloe*, i. 239; The Council of State to the States General, May 6, *Aitzema*, iii. 812; De Witt to Van Beuningen, May $\frac{10}{20}$, *Brieven*, v. 138.

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Cromwell, at least, did not regard this answer as final. Yet he was not the man to relax the warlike preparations which he had inherited from the former Government. It was in his favour that a few days before the dissolution Penn had safely brought the long-delayed coalships[1] into the Thames. Not only were the Londoners pacified by the prospect of being able to fill their cellars, but the officials, whose task it was to get the fleet ready for sea, were able to press the mariners who had brought the coals. No such gleam of prosperity enlivened Amsterdam. In that once-busy mart three thousand houses were to let, and the grass was growing in many of the streets. A glover who had employed forty-eight hands was now working as a journeyman; whilst a manufacturer of silk bonelace, who in better times had found employment for three or four hundred girls, had been compelled to dismiss all but three. The only hope of the traders lay in the fleet of merchantmen making its slow way round the north of Scotland, now that it had been found impossible to protect it in the Channel. It was admitted that if that fleet were to fall into the hands of the enemy, the bankruptcies would be beyond counting.[3]

Continuance of preparations for war.

April 15. Arrival of the coalships.

Distress in Amsterdam.

Anxiety for the safety of the merchant fleet.

In order to avert so dire a calamity, Tromp left the Hague on April 22 to resume his command. Two days later he warned the States General of the weakness of their navy, 'and how impossible it was for him with such small vessels to do anything against the English, being for the most part all great ships, so as he should bring not only himself and many other honest men, but the whole State into inevitable danger; desiring, therefore, to be dismissed of his charge, which

April 22. May 2. Tromp sets out from the Hague.

April 24. May 4. His forebodings.

He offers his resignation.

[1] See p. 193.

[2] Newsletter, April 29, *Clarendon MSS.* ii. No. 1,121.

[3] *Aitzema*, iii. 813.

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he had far rather another should have than go to sea with such a fleet.' The States could but refuse to accept his resignation,[1] on which Tromp, making the best of his position, put out to sea, followed by 200 merchantmen which he conducted in safety as far as Shetland. There he fell in with a part of the homeward-bound fleet, which he convoyed to Holland without any considerable loss.[2] Monk and Deane, who had been in pursuit,[3] had missed him, though they made havoc of the fishing-boats on the Dutch coast. Blake, now to a certain extent recovered from his wound, had regained his good humour, and betook himself to Portsmouth to look after the equipment of the ships under orders for active service. These, as well as others then fitting out in the Thames, were placed at his disposal, either to scour the Channel or to be carried to the help of his colleagues in the North Sea.[4] If the words traditionally assigned to him: "It is not for us to mind State affairs, but to keep foreigners from fooling us," were ever really uttered, they may conjecturally be assigned to this period of his life, when he finally resolved, much against the grain, to throw in his lot with a Government whose political principles he detested.[5]

May $\frac{30}{30}$. Convoys the merchant fleet safely.

Monk and Deane miss him.

May 18. Blake at Portsmouth.

Keeping foreigners from fooling us.

[1] News from the Hague, $\frac{\text{April } 28}{\text{May } 8}$, *Clarendon MSS.* ii. No. 1,118.

[2] *Aitzema*, iii. 814.

[3] Letter from the fleet, in *The Moderate Intelligencer*, E, 697, 4; *Several Proceedings*, E, 213, 14. Mr. Geddes (i. 311) incorrectly speaks of Blake as pursuing Tromp.

[4] Newsletter, May 12, *Clarendon MSS.* ii. No. 1,149; *Perf. Diurnal*, E, 213, 18; *The Weekly Intelligencer*, E, 698, 2; *Perfect Account*, E, 698, 3.

[5] That Blake cannot have used this expression at the time of the expulsion of the Long Parliament appears from the conduct attributed to him at the time (see p. 217, note 2). In the nominated Parliament, as has been shown (p. 260, note), he sided with Cromwell. The words

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May 27. Monk and Deane put back to Yarmouth.

June 1. The fleet off the Gabbard.

June 2. Approach of the Dutch.

On May 27, Monk and Deane, who had been plying off the Texel since their return from a fruitless chase, on hearing that Tromp was now in command of a fleet—according to report—of 120 ships, put back to Yarmouth to collect reinforcements.[1] On June 1 they sailed in search of the enemy with 115 sail, five of which were fireships,[2] anchoring for the night about two miles off the southern end of the Gabbard shoal.[3] On the morning of the 2nd they descried Tromp—who had visited the Downs and found them empty—beating up towards them, not indeed with 120, but with 104 sail, six being fireships;[4] somewhat, therefore, inferior in the number and still more inferior in the size of his ships.

On the approach of the enemy, the English fleet weighed anchor, and bore down upon him as quickly as a light wind somewhat to the eastward of north would allow.[5] Both fleets were divided into three squadrons, Monk and Deane commanding the main body of the English, with Penn on the starboard and Lawson on the port side.[6] In the centre of the

would be in place if they were spoken to some member of the expelled Long Parliament, remonstrating with him for deserting his colours.

[1] *Several Proceedings*, E, 213, 24.

[2] In a list published on July 25 (669, f. 17, No. 34), and reprinted in Penn's *Mem. of Sir W. Penn*, i. 490, the total is misprinted as 105. According to a letter from Penn (*ib.* i. 495), there were 126 men-of-war after the battle was over. Of these, thirteen had joined under Blake in the course of the second day's action, leaving 113 when the fight began. If to these be added the fireships, we have 118, only three more than the number given in the list.

[3] See map facing p. 134.

[4] Tromp to the States General, *Aitzema*, iii. 817.

[5] Tromp's official narrative is quite clear that the English were right in the wind, and that the wind was N. by E. Admiral Jordan's Journal, however (*Mem. of Sir W. Penn*, i. 553), gives the wind for the whole day as N.N.W., N. and N.E. Probably it was N.N.W. before dawn.

[6] This is nowhere stated, but the battle is unintelligible on any other supposition.

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The battle off the Gabbard.

enemy's fleet was Tromp himself, whilst De Ruyter was at the head of, and De With astern of the line as it beat up against the wind. So light was the wind, that the two fleets only came within range about eleven. Deane himself was struck dead by one of the first shots, and Monk, throwing a cloak over the body of his fallen colleague, found himself left in sole command.[1] For about three hours there was a hot cannonade, without any attempt on the part of

[1] The only two accounts of the battle at any length are Tromp's narrative and a letter from Richard Lyons, Monk's chaplain. According to Tromp: "We caught sight of the enemy's fleet right in the wind, which was N. by E. The enemy for a long time drove down upon us, we doing our best to beat up towards them. Finally the enemy separated into three squadrons, one in the centre and the other two on the wings, sailing free at a good distance apart, apparently to enclose us in a half-moon. They, perceiving that we awaited them in good order, again approached one another, just coming within shot at eleven in the morning. General Deane then prepared to attack us, as he did furiously, and we defended ourselves according to our duty. In the midst of the fight it fell calm, and the enemy's Blue Squadron" (*i.e.* Lawson's) "was somewhat separated from the main body, and the wind changed a little, so that our ships were turned round to catch the wind, in order to cut off the squadron. The enemy perceiving this, took all pains to join one another, but, before that could be well accomplished, we were strongly engaged with the Blue Squadron, and whilst we were still fighting, we fell off into the middle of their main body and passed through it, so that both the fleets were fighting very hard, and surrounded by a cloud of smoke." *Aitzema*, iii. 821.

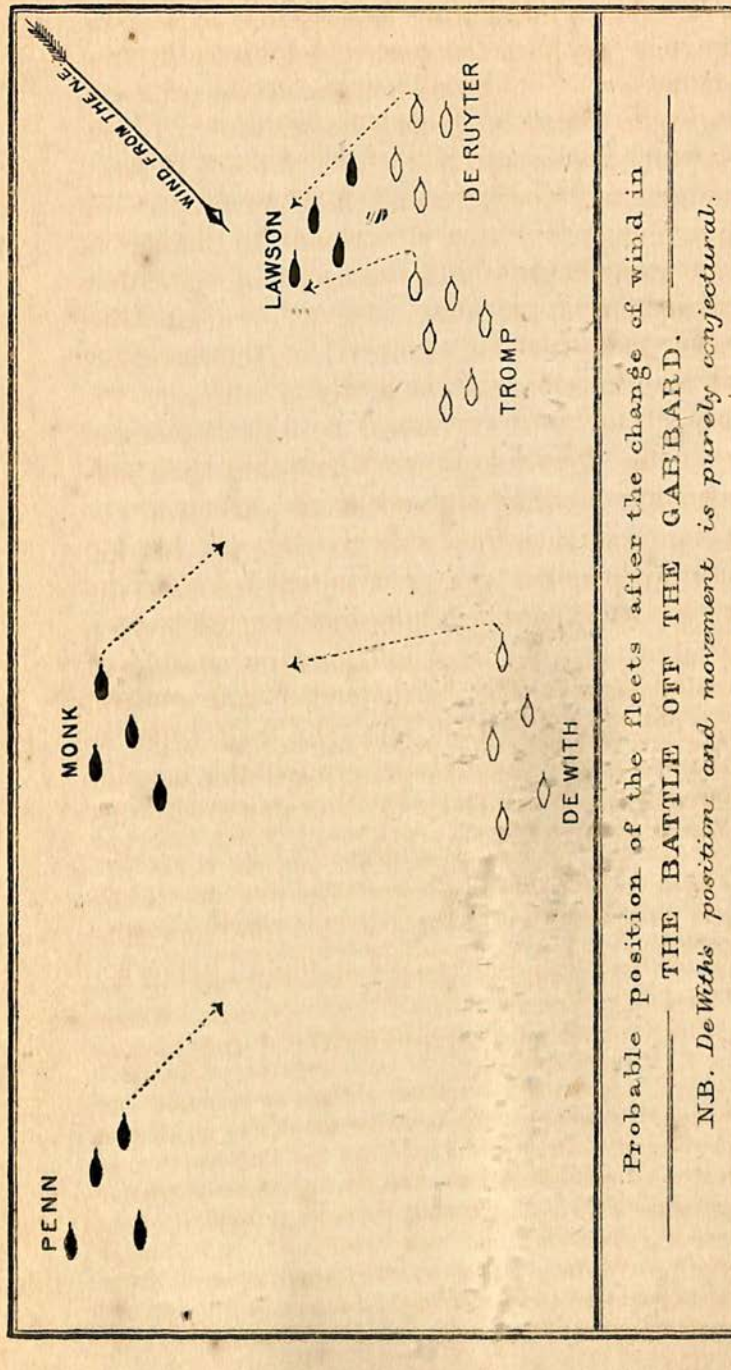
"But on Thursday," writes Lyons, "at day dawning, we saw the enemy's fleet to the leeward of us; and weighing all hands, we stood with them, but the wind failed us. By that time we drew near them, and the enemy stood lashing" (*i.e.* lasking) "away; yet did the 'George'" (Lawson's ship) "and his squadron very hotly engage the enemy for some hours; so Tromp declines engagement with our main body and flag, but bears up to relieve Ruyter that was hotly engaged by Rear-Admiral Lawson, who, with his second came very well off, and all his squadron, being the Blue, both with safety and honour. And now, the wind bearing about to the eastward, the enemy takes the advantage, and comes with his whole power and engages sharply for two hours, till ours had recovered the weather gage again, and then he endeavoured to keep all as close together as he could that he might

Monk to break into the enemy's fleet according to the practice of former actions, probably because the lightness of the wind would have prolonged the approach of the windward fleet, and would consequently have exposed it in a comparatively defenceless position to the enemy's broadsides.[1] Tromp on his side fell off from the wind, doubtless that he too might have the full use of all his guns. Gradually, however, Lawson edged down upon De Ruyter, either driven by the current or prompted by his own impetuosity, and Tromp, seeing his colleague's danger, forsook his own immediate antagonist to push on to his succour. Before anything decisive had been accomplished the wind dropped entirely, and when again a light breeze sprang up it blew from a more easterly quarter than before. As the wind headed his ships, Tromp, with a promptitude which the soldier-admiral

make the best of his way without loss, dreading our great ships.' *Mem. of Sir W. Penn*, i. 496. Lyons' statement that the Dutch were 'lasking away,' that is to say, were not close-hauled, is inconsistent with Tromp's assertion that he was beating up towards them.

Of shorter accounts we have Monk's despatch: "Early in the morning we discovered the Dutch fleet about two leagues to the leeward. We made sail towards them, and between eleven and twelve at noon we were engaged, and for three hours the dispute was very sharp on both sides, which continued from three to six in the evening." *Ib.* i. 491. "At daylight," writes Rear-Admiral Jordan in his journal, "espied the enemy's fleet, consisting of about ninety sail; they kept the wind; we made all haste by getting anchors up, and sailing to them. Proving little wind, it was eleven in the morning ere we came to engagement at a distance; two or three hours later more closely. My Admiral—the Blue—Lawson, with myself and Rear-Admiral were closely engaged with some others. After that the General and Admiral of the White" (*i.e.* Penn) "came to a close engagement; sunk three or four. All the night little wind; we kept fair by them." *Ib.* i. 530. "About mid-day," writes De Ruyter in his journal, "we began the fight, and about three o'clock we turned upon them and drove them to flight." *Hague Archives.*

[1] Not only is there absolutely no mention of the ordinary 'passing through' the Dutch fleet, but the broadside fighting is implied in Jordan's words relating to this part of the fight.



Probable position of the fleets after the change of wind in THE BATTLE OFF THE GABBARD.

NB. *De With's position and movement is purely conjectural.*

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opposed to him could hardly be expected to imitate, ordered out the boats to tow round his ships that they might catch the wind on the starboard tack. Whilst De Ruyter thus gained the wind of Lawson, Tromp drove his squadron into the gap left between that admiral and Monk, thus placing Lawson between two fires and anticipating in a rough and imperfect fashion the manœuvre familiar to seamen of a later date as the breaking of the line. If the movement failed in the success which it achieved in the hands of Rodney and Nelson, this was partly because, in consequence of Lawson's advanced position, Monk was not so much to leeward of him as he would have been if the change of wind had occurred earlier in the battle, and was therefore able to come to his aid without any long delay; and partly because the gunnery of that day was insufficient to crush even a weaker adversary in what would now be considered a reasonable time.[1] The battle ended in a general *mêlée*, in which the English ships by their superior weatherliness forced themselves through the mass of the enemy and regained the weather gage. In this desperate struggle the Dutch lost two ships, the one blown up and the other sunk.[2] Night put an end to the strife, and drifting southwards by wind and tide the two fleets found themselves at nightfall not far from Dunkirk.[3]

With the morning Tromp discovered that, as on June 3.

[1] Probably on account of the greater windage as compared with that allowed at the present day:—"With the degree of windage formerly established in the British service, no less than one *third* or one fourth of the powder escaped and was lost, and as balls are often less than the regulated size, it frequently happened that half the force of the powder was lost by unnecessary windage." Sir Howard Douglas's *Treatise on Naval Gunnery* (3rd ed. 1851), p. 582.

[2] Tromp to the States General, June $\frac{3}{13}$, *Aitzema*, iii. 817.

[3] The English authorities represent Tromp as flying, but the south-

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Tromp short of powder.

that sad day when he had found himself helpless off Cape Grisnez,[1] his powder was running short, De With announced that he had no more than would suffice him for three hours. De Ruyter had even less. Once more the wretched administration of the Republic had provided disaster for her fleet.[2] Yet the old hero could not be content to retreat till he had once more tried a fall with his country's foes. By this time the wind had shifted to the westward, and the English lying to the north-west opened the attack. Just as Tromp was hard-pressed Blake came up with thirteen fresh ships and rendered his position hopeless. Yet even so he kept up the struggle to the close of the day. Towards the end of the fight his ship was boarded by Penn's crew, and seeing no other resource, he set fire to a barrel of powder underneath the part of the deck which had been mastered by the enemy, and blew the assailants into the air. For all that it would have gone hard with him if De Ruyter and De With had not come to their admiral's relief. So well had the struggle been kept up that at sunset a great part of the Dutch fleet was still to the westward of Ostend, though many of their ships had made off to the entrance of the Maes for shelter. Tromp's best ally was the wind, which was now blowing hard and deterred the English commanders from venturing with their large vessels amongst the sands which fringed the Flemish coast. When the sun rose on the 4th the Dutch were descried

June 4. Retreat of the Dutch.

ward movement is more probably to be ascribed to natural causes, accentuated perhaps in the end by a sense of failure. The fight is usually styled the battle of Nieuport, and is supposed to have been fought off that place. The mistake seems to have arisen from Tromp's expression that it began in the meridian of Nieuport. A letter from Bernard to Strickland (*Thurloe*, i. 272) shows that the first day's fight was not visible from the shore.

[1] See p. 161. [2] Tromp to the States General, *Aitzema*, iii. 817.

in full retreat for the Wielings, to which it was impossible to follow them. In the two days' fight the Dutch had lost, according to the English account, twenty men-of-war, of which eleven were brought in as prizes.[1]

Causes of the victory.

The victory was attributable mainly to superior administration on the English side. The ships of the victors were not only larger, but better built, better supplied, and better manned. The division into three squadrons which had been first displayed in the battle off Portland, was imitated from the Dutch practice. If there was superiority in tactics it was on the Dutch side, as no single action of any one of the English commanders can be compared to the promptness with which Tromp took immediate advantage of the change of wind in the midst of the first day's fight. What the Dutch admiral lacked was a fleet equal to his merits.

After his return home, Tromp spoke his mind freely to the government—if government it could be called—under which he served. More than thirty of his remaining ships, he said, were too weak to be of any service against the powerful armament of the enemy. De Ruyter added that, for his part, he had made up his mind that unless the fleet were strengthened he would go to sea no more. In the late battle, he added, more than half the ships were mere hindrances to action, as those that were better armed had to defend the weaker ones instead of putting forth all their strength against the enemy.

Statement by De Ruyter.

"Why should I be silent?" burst out the impetuous De With. "I stand before my sovereigns: I must

Indignation of De With.

[1] Penn's *Mem. of Sir W. Penn*, i. 491-498; Tromp's despatch and narration are in *Aitzema*, iii. 817, 821. The story of Tromp's blowing up his deck is from *Hollandsche Mercurius* (1653), p. 68. That Tromp himself should not have mentioned it is in accordance with his usual modesty, and is an additional reason for doubting the theatrical exhibition of the broom at the masthead.

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speak out. The English are our masters, and consequently masters of the sea."[1] The fact was undeniable. The English fleet was ranging along the coast and blockading the ports. Those who sent it out aimed at even more than this. There were on board 5,000 soldiers under Goffe who had received instructions to occupy, if possible, one of the fortified towns of Holland. The scheme, however, proved impracticable, and Goffe returned without making the attempt. To the Dutch the mere existence of the blockade was sufficiently grievous without this culmination of misfortunes. Trade was at a standstill. Starvation was followed by tumult, and loud cries were raised for the re-establishment of the Stadtholderate as the only means of rescuing the Republic from its misfortunes.

The English propose to occupy a town in Holland.

De Witt anxious to negotiate.

The outcries of the population stimulated De Witt to search once again for some course which might satisfy England without rousing the just susceptibilities of his own countrymen. With this object in view he persuaded the States General to appoint four commissioners, not to negotiate a treaty in England, but to ascertain whether there was any prospect of negotiating on a reasonable basis. The four were Beverning—a confidant of De Witt—Nieuport, Van de Perre, and Jongestal. The first two were Hollanders, the third a Zealander, and the fourth a native of Friesland who, being a devoted servant of the House of Orange, as prepared to balk De Witt and the Hollanders in any endeavour to make peace on unfavourable conditions. Beverning arrived in London on June 17, and his fellow-commissioners were not long behind.

Commissioners appointed.

Reception of the commissioners.

The reception of the commissioners was unpromising. Though the nominated Parliament had not yet met, and the Council of State was therefore one

[1] *Aitzema*, iii. 821.

of Cromwell's own choosing, its members were as stiff in their demands as if they were utterly indifferent to the attainment of peace. The attack by Tromp off Folkestone still rankled in their minds, and on June 29 they refused to treat at all unless the Dutch commissioners were prepared to acknowledge in some practical fashion that their great admiral had been in the wrong and to give security that the offence would not be repeated.[1] To Cromwell, then at the height of the religious fervour which expressed itself a few days later in the speech with which he greeted the nominees, this cold treatment of a Protestant nation was unbearable. On the 30th he sent a private communication to Nieuport, in the hope that it might clear the way for a better understanding. Might not the States General, he suggested, give the required satisfaction by dismissing Tromp temporarily from his command, on the understanding that he was to be reappointed after five or six months? As to security, it would be enough if two or three Dutchmen were appointed to seats in the English Council of State, and the same number of Englishmen to seats either in the Dutch Council of State or in the States General.[2] If these conditions were accepted, a truce would probably be granted and the Dutch would be allowed liberty of fishing in the British seas, and of trading in the West Indies.

June 29. Harsh demands of the Council of State.

June 30. A private communication from Cromwell.

That Cromwell foresaw no difficulties in the way of amalgamation in this modified form is probable enough. The grandiose conception of a union between the nations had originated with his ally St. John, and had taken hold on his own mind. "You have appealed," he now argued with the commis-

Cromwell's views on amalgamation.

[1] *Verbael*, p. 21.

[2] The idea was probably derived from the arrangement by which Elizabeth and James I., till he abandoned the cautionary towns, were represented by the English ambassador in the Dutch Council of State.

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sioners, "to the judgment of Heaven. The Lord has declared against you. After the defeats you have undergone, your only resource is to associate yourselves with your formidable neighbour to work together for the propagation of the kingdom of Christ, and the deliverance of the people groaning under oppression."[1] Nevertheless, Cromwell being firmly convinced that Tromp had been the real aggressor at the commencement of the war, saw nothing offensive in demanding some acknowledgment of the fault.

July 1. Cromwell takes offence.

Though from a Dutch point of view Cromwell's overtures were absolutely inadmissible, the commissioners were well aware that he would take umbrage at their rejection; and it was without surprise that they heard that he was closeted with Lambert and Harrison, and had given vent to a suspicion that the only object of their embassy was to gain time for a fresh development of their naval power.[2]

July 13. Cromwell makes a fresh suggestion.

Yet it was not in Cromwell's nature to confine himself to mere distrust. It is true that at a conference held on the 13th he reiterated his belief that the Dutch had maliciously contrived the war, but he was now in the full fervour of that religious conviction which manifested itself in him in the early days of the nominated Parliament, and he not only refrained from repeating his proposal for the supersession of Tromp, but pleaded long and persuasively for the closest possible union short of amalgamation. He told the commissioners that 'God had wonderfully delivered them out of the Spanish slavery, and revealed to them the truth of His word; that the English therefore honoured and loved them; but that people

[1] Sirtema de Grovenstin, *Hist. des Luttes . . . entre les Puissances Maritimes et la France*, i. 204. The words are taken from a diary of Beverning in the Hague archives.

[2] *Verbael*, pp. 84, 85.

sometimes became careless and did not sufficiently apprehend the intrigues which were used against them; that in England, God be thanked, the work was better understood than in the United Netherlands, and that, above all—what must be first thought of—were the essential points tending to the preservation of freedom, and the outspreading of the kingdom of Christ, not for themselves only, but also for posterity, in order that the treaty built on such a foundation—yet according to the form and character of the respective governments—might be permanent and inviolable; that it had often happened that, after a quarrel, friendship became stronger and faster than before; and that neither of them knew what God the Lord, for the magnifying of His holy name and the delivery of so many oppressed nations, who now more than ever groaned under insufferable tyranny, might intend to accomplish by the two republics in His own good time.' [1]

July 14. A conversation between Cromwell and the commissioners.

Such language was a sufficient indication of that zeal for the triumph of his religion which was never far from Cromwell's heart. His practical sense was embodied in a conversation which he held with two of the Dutch commissioners as he was walking in the evening in St. James's Park. 'The interests of both nations,' he said, 'consisted in the welfare of commerce and navigation; and no lasting peace could be established between them unless binding rules were made. He knew well that the industry of the Dutch ought not to be prevented, but that the English having received so many advantages from nature in the way of good havens and geographical situation, could not be deprived of them. The world

[1] *Verbael*, pp. 42, 43. The translation above is borrowed from Mr. Geddes.

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was wide enough for both; if the two peoples could only thoroughly well understand each other their countries would become the markets of the world, would dictate their will to Europe, and put everything as regards commerce on a good footing. . . . It would be necessary to adjust and regulate the common interests of commerce and navigation, if the two nations were to live together in harmony.'[1]

Cromwell's generous policy.

A close union for religious and commercial objects was, in short, the aim of Cromwell's policy, a union which he now dissociated from any conditions degrading to either party. The Dutch would have to abandon the special advantages secured to them in the Sound by their treaty with the King of Denmark.[2] From England they would at least gain the opening of the colonial trade, if not the repeal of the Navigation Act itself. Not a word was on this occasion uttered by Cromwell as to the payment of money in reparation for the attack on Blake:—still less as to the wild scheme for the political fusion of the two nations which was still in the thoughts of his colleagues, as not long ago it had been in his own.

July 21. The Council of State insists on a political union.

Unfortunately the decision lay with the new Council of State, of which Cromwell was an influential member, but by no means an absolute master, and a Council of State appointed by the nominated Parliament in its early days was too fully under the influence of abstract ideas to recognise, as Cromwell was always prepared to do, that a position had ceased to be tenable.[3] Though the Dutch com-

[1] *Verbael*, pp. 45, 46. The translation is again Mr. Geddes's, with one verbal change.

[2] See p. 82.

[3] Cromwell took care to put this on record by sending a message

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missioners were perfectly ready to treat on the commercial union—it was hardly likely that they would be enthusiastic for the religious crusade—they were flatly told that the Council expected payment, not indeed of any large sum, but of sufficient to imply an acknowledgment of wrong-doing in the past and also security for the future, 'by uniting both States together in such manner as they may become one people and commonwealth.'[1] The remonstrances of the commissioners only drew down on them a repetition of the demand in plainer terms. "The Council," they were told, "did in express terms propose not the establishing of a league and union between two sovereign States and neighbours, but the making of two sovereign States one; which although it doth not necessitate the alteration of the municipal laws of either, yet it cannot but intend the whole so united to be under one supreme power to consist of persons of both nations, according as shall be agreed upon; and to have and enjoy the like privileges and freedom in respect of habitations, possessions, trade, ports, fishing, and all other advantages whatsoever in each other's countries as natives without any difference or distinction."[2]

July 25. The proposal insisted on.

A complete amalgamation demanded.

This outrageous demand having been courteously but decisively rejected,[3] the English Council doggedly repeated its summons. In order to avert an absolute rupture, the Dutch commissioners despatched two of their number, Nieuport and Jongestal, to the Hague, on the pretext that it was desirable that

July 27. It is rejected by the Dutch.

Aug. 1. The English insist.

on the 20th to the commissioners, begging them to address themselves to the Council of State, not to his Excellency and the Council of State.

[1] Proposal by the Council of State, July $\frac{31}{21}$, *Verbael*, p. 53.

[2] Answer by the C. of St. $\frac{\text{July } 25}{\text{Aug. } 4}$, *ib.* p. 62.

[3] Answer by the Dutch commissioners, $\frac{\text{July } 27}{\text{Aug. } 6}$; Reply of the C. of St., Aug. $\frac{1}{11}$, *ib.* pp. 66, 70.

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Aug. 3. Two commissioners return to the Hague.

they should personally report to their masters, whilst the other two, Beverning and Van de Perre, remained behind to keep up the semblance of a negotiation in England. If they had any hope left it must have been based on their knowledge that they had Cromwell on their side, and that the difference of opinion between the Lord General and the Council of State was almost as great as that which separated themselves from the English negotiators. Even before the two commissioners left England events had occurred which might well have given pause to all who desired to prolong the conflict between the nations.

Dutch preparations.

Since Tromp's defeat in the North Sea, the Dutch authorities had been putting forth all their strength to cope with the victorious enemy and to free their ports from blockade. Volunteers pressed forward to share in the defence, and before the end of July Tromp, having been strongly re-enforced, was enabled to put out from the Wielings and to hasten to the assistance of De With who was cooped up in the Texel by a superior English force. That force was under the sole command of Monk, Blake having been compelled by the recrudescence of his wound to return to shore.

July. Tromp again at sea.

July 29. He decoys Monk away from the Texel.

On July 29, by a feigned retreat, Tromp decoyed his soldier antagonist from his station, and some cannon-shots were exchanged, before night put an end to the fighting. Under cover of the darkness, De With made his way out and joined the Admiral on the following day. By this time it was blowing a westerly gale, and neither commander was in a mood to risk a combat off a lee shore. On the 31st the storm died away, and Tromp who was lying to windward bore down upon the enemy. As the

July 30. And is joined by De With.

July 31. Battle of the Texel.

fleets were entering into action, the Dutch Admiral was struck down by a bullet. "It is all over," he murmured. "O Lord, be merciful to me and thy poor people." Tender friends carried him below, but he died as soon as he reached the cabin. The fight raged on. Monk, with the ruthlessness which characterised him, gave orders that the enemy's ships should be sunk or burnt, but not captured lest his fleet should be weakened by the necessity of detaching ships to guard the prizes. By one o'clock the Dutch began to give way, and before long the English knew that their victory was complete. Yet so stubborn had the resistance been, that the victors were compelled to abandon the blockade, and to take refuge in their own ports to refit their shattered fleet.[1]

Tromp's death.

Victory of the English.

Tromp was, in every sense, the hero of the war.

Tromp the hero of the war.

[1] *Hollandsche Mercurius* (1653), p. 86; *Aitzema*, iii. 831; Sacheverell to the Navy Commissioners, Aug. 2; Cox to Cromwell, Aug. 2; Cubitt to Blackborne, Aug. 2, *S. P. Dom.* xxxix. 9, 10, 11. Sacheverell's letter confirms Gumble's statement (*Life of Monk*, p. 62) about the order not to take prizes. Monk's despatches are in Penn's *Mem. of Sir W. Penn*, i. 501–504. In the latter work (p. 509) is reprinted from Hoste, *L'Art des Armées Navales*, a narrative of the battle by a French gentleman, who professes himself to have been an eyewitness. "Here," writes Granville Penn, "we find the fleet formed in line, twelve years before the date assigned by Macpherson to the first example of that order of battle in an English fleet." I am sceptical as to the genuineness of this narrative. In it the French gentleman is said to have embarked in a corvette in order to witness the battle, not a very likely story. He says that he caught sight of Tromp's fleet on $\frac{\text{July } 28}{\text{Aug. } 7}$, which is a day too soon, and that $\frac{\text{July } 29}{\text{Aug. } 8}$ and $\frac{30}{9}$ 'se passèrent en escarmouches,' apparently knowing nothing of the gale of $\frac{\text{July } 30}{\text{Aug. } 9}$. He then talks of Tromp's directing the battle in various ways, after which we arrive at his death; not, as in fact happened, early in the battle, but as he was about to board Monk's ship. The fight then comes to an end. It is certain that, however the fleets may have been drawn up before the battle, the English did not fight in line. "In the fight," writes Monk (*Penn*, i. 503), "the 'Resolution' with the 'Worcester' frigate led the English fleet, in a desperate and gallant charge, through the whole Dutch fleet."

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If tactical skill could have wrested victory from an enemy greatly superior in force, he would have made the battle off the Gabbard as glorious for his countrymen as had been the fight in the Downs in 1639. Fighting for the liberty of his country's trade, he was borne down by official incompetence and by the defects of a complicated administrative machinery, even more than by the material superiority of the English navy. A partisan of the House of Orange, as every fighting man must of necessity have been, he never allowed his feelings in this respect to interfere with his services to a government which appeared to him in the highest degree ineffectual. Yet he never shrank from pointing out to his masters without exaggeration, but also without diminution, the errors which he and his sailors expiated with their blood. If it had been possible to create a maritime stadtholderate in Tromp's favour, and thus to give unity of direction to the war against England, as William the Silent had given unity of direction to the war against Spain, it is probable that the result would have been less markedly unfavourable to his countrymen.

The Dutch loss was calculated at twenty-six men-of-war. Of their crews it is said there were 2,700 drowned or killed, 2,500 wounded, and 1,000 left as prisoners in the hands of the enemy.[1] The English confessed to the loss of two ships. Seven of their captains, however, perished, and five were wounded. The slain were set down at 250, and the wounded at 800.[2]

[1] A communication from Holland, Aug. $\frac{12}{22}$, Penn's *Mem. of Sir W. Penn*, i. 506.

[2] A communication from Holland, Aug. $\frac{12}{22}$, Penn's *Mem. of Sir W. Penn*, i. 504.

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Indisputable as had been the victory of the English fleet, the conquerors were no longer in a condition to maintain the blockade, and with the sea again open before them, not a man in any one of the seven Provinces would give ear to the haughty summons to amalgamate with England which was all that the returning commissioners could officially communicate. It cost De Witt many a week of patient diplomacy before he was able to induce his countrymen even to offer their alliance to the nation under whose blows they were staggering.[1]

The blockade broken up.

If the way to an understanding was not made plain the fault did not lie with Cromwell. His position was now that of an opposition leader aiming at peace, whilst the recognised authorities were aiming at the continuance of war, and it was only by underhand methods that he could communicate with the two Dutch commissioners still remaining at Westminster. Yet he was conscious of force behind him, and it was as one who had been master of the State and who might soon be its master again that on August 6, after Tromp's defeat and the capitulation of Bordeaux were known in England, he addressed soothing words to Beverning. There was no wish in England, he assured the Dutchman, to derogate from the sovereignty of the United Provinces. It would be sufficient if the two nations were to form an alliance having the same friends and the same enemies.[2] After some further discussion by word of mouth and on paper, this informal negotiation appeared to have fallen asleep, when, on September 23, one of Cromwell's confidants—probably Sir Cornelius Vermuyden, the drainer of the Fens—carried to Van de Perre the most

Cromwell as an opposition leader.

Aug. 6. Cromwell's conversation with Beverning.

Sept. 23. An astounding proposal.

[1] *Geddes*, pp. 355-359.

[2] *Verbael*, pp. 143-149.

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astounding proposal ever made by an Englishman to the minister of a foreign State.

An offensive and defensive alliance proposed.

What was now asked was that the two nations, abandoning all thought of amalgamation, should bind themselves in a perpetual alliance, each being ready to undertake war—offensive as well as defensive—against the enemies of the other. With this object in view each was to keep on foot a competent army, whilst England was to furnish sixty ships and the United Provinces forty, to make up a formidable fleet.

It is to be joined by the Protestant States and France.

The alliance was to be distinctly Protestant in its colour, including Denmark, Sweden, and such of the German princes who were not 'Papists' and who did not employ the services of the Inquisition. Even the Crown of France might be admitted if the Reformed Churches in its dominions were secured of complete liberty of conscience. On the other hand, all princes and States maintaining the Inquisition, forcing the consciences of men, and being entirely dependent on the Pope, were to be treated as enemies by both States. Though there was to be no political amalgamation, there was to be a mutual admission to civil rights, the citizens of one State being capable of holding land and offices in the other. In matters of trade the same spirit was to prevail. The fisheries were to be open to Englishmen and Dutchmen without hindrance, and Englishmen and Dutchmen might also carry on trade in either country on the same footing as the inhabitants, thus sweeping away the Navigation Act at a single blow. In Europe and Africa trade was to be open to both, the possession of ports established by the Dutch in Africa being specially recognised.

Character of the proposal.

All this, however, startling as it might be, was as nothing to that which followed. England and the

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A partition of the globe.

United Provinces were to partition the remainder of the globe between them. The whole of Asia was to fall to the share of the Dutch, who were to compensate the English East India Company for the entire loss of its trade. America, on the other hand, with the exception of Brazil, over a corner of which the Dutch still maintained a precarious hold, was to be assigned to the English. Nor was it to be a mere league for opening commerce with those regions. Though neither Spain nor Portugal was mentioned by name, there was to be a war of conquest against both Spain and Portugal. The Dutch were to furnish twenty-five ships to assist the English in making themselves masters of all ports, rivers, towns, and castles which they had a mind to occupy outside Brazil. It was not stated, but was probably intended that England should render similar assistance to the Dutch within the limits assigned to them in Brazil. To remove all difficulties which might arise out of this far-reaching agreement, two bodies of commissioners, each composed of four Englishmen and four Dutchmen, were to be established respectively in the two countries, with power to decide all disputes between Englishmen and Dutchmen. Finally, missionaries were to be sent to all peoples willing to receive them, to inculcate the truth of Jesus Christ and the Holy Gospel.[1]

Commissioners to uphold the agreement.

[1] *Verbael*, p. 149. These propositions are evidently founded on a set of articles without a date, entitled 'A paper delivered by Sir Cornelius Vermuyden, relating to a treaty between England and the States General,' and printed in *Thurloe's Collection* (ii. 125). There are some alterations in detail, the changes having been apparently introduced in order to enlarge the concessions to the Dutch. For instance, in Vermuyden's project the trade of Asia Minor is left free to all, and the southern limits of Dutch Brazil are placed at the Tropic of Capricorn—*i.e.* a little south of Rio de Janeiro. In the articles presented to Van de Perre the trade of Asia Minor is given over to

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It scarcely needed this last touch to blast the whole project in the eyes of later generations. To evoke a Protestant alliance, not for the purpose of defending oppressed Protestants, but to wrest America from Spain and Portugal for the benefit of two Protestant nations, involves the utilising of religion for purposes of self-interest, of which the modern world has learnt to be ashamed—at least, in its public professions. Yet the conviction that religious zeal might rightly lead to national aggrandisement and personal enrichment had been a dominant note with the Elizabethan adventurers whose exploits held so large a place in Cromwell's mind. The scheme had indeed originated in the brain of a Dutchman, the greater part of whose life had been passed on English soil; but in Cromwell's mind it found a congenial home. No one living was more eager to make the best of both worlds, and the tragedy of his career lies in the inevitable result that his efforts to establish religion and morality melted away as the morning mist, whilst his abiding influence was built upon the vigour with which he promoted the material aims of his countrymen.

The Dutch shrink from the scheme.

From this confusion the Dutch commissioners kept their minds free. They evidently thought that a

the Dutch, and the southern limit of Brazil fixed at the Rio de la Plata. Cromwell's connection with the plan can hardly be exactly defined. In the Dutch narrative emphasis is laid on the confidential relations existing between him and the bearer of the articles, and when they were subsequently modified they were altered with the approval of the best qualified of the Council and of Cromwell himself. I think it may be taken that the proposal as Van de Perre received it was adopted by Cromwell with the approval of his partisans in the Council. The connection of Cromwell with the secret negotiation appears from a statement in a letter from the Hague, written on $\frac{\text{Sep. } 27}{\text{Oct. } 7}$, about the commissioners, that, 'having gained Cromwell, they conclude the matter done, notwithstanding the multitude that is against it.' *Thurloe*, i. 559.

common Protestantism was insufficient to induce their countrymen to form an alliance with England in order to renew the long war against Spain from which they had rejoiced to escape five years before, and they at once declared that the utmost to be expected was a defensive league against the assailants of either nation. It was out of the question that they should enter upon an unprovoked quarrel with all States supporting the Inquisition.[1]

A modified proposal.

The result of these objections appeared in a modified scheme which received the approval of Cromwell and of certain unnamed councillors. It was now left open to either State to form treaties of commerce, even with States maintaining the Inquisition. The article about sending missionaries was omitted, and the partition of the globe postponed to a more convenient season. For the present it would be enough that the commerce of Europe and the Mediterranean should be restored to the footing on which it had stood before the war—a stipulation which implied the maintenance of the Navigation Act, perhaps because the English negotiators wished to keep such a valuable asset in hand to barter for the aid which they still hoped to receive from the Dutch in their projected attack on Spanish America.[2] To this the Commissioners were unable to give any positive answer, and on October 4 Cromwell signed a pass to Van de Perre's son that he might continue the secret negotiations at the Hague. With tears in his eyes he declared to Stockar, who had been charged by the Swiss Protestant cantons to counsel peace,

[1] *Verbael*, 153.

[2] *Ib.* 155. The explanation suggested above seems more probable than that, as Mr. Geddes thinks (i. 364) the reference to the Navigation Act was omitted by an oversight.

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that nothing in the world troubled him so much as this war.[1]

Causes of Cromwell's temporary hostility to Spain.

Of Cromwell's eagerness for peace with a Protestant State there can be no doubt, but his sudden reversion to the idea of a war with Spain, which he had entertained in the spring of 1652, and which he was again to entertain in the autumn of 1654, calls for explanation. Something, perhaps, may be set down to the revelation of the weakness of the Spanish monarchy, derived from its failure to relieve Bordeaux in July. Yet, on the whole, it is perhaps safe to attribute Cromwell's revulsion of feeling partly to his irritation at the attempt of Cardenas to throw obstacles in the way of a peace with the Dutch,[2] but still more to the failure of any response to the overtures which had been made for a toleration to English Protestants in Spain. It is true that after the fall of Bordeaux in July, Thurloe, who, probably more than any other civilian, was deep in Cromwell's confidence, had urged Cardenas to proceed with his negotiation and not to lose so good an opportunity of coming to terms with England. At Madrid, however, the Inquisition had given a decided opposition to any attempt to extend the article on toleration further than it stood in the treaty with Charles I., and month after month passed away before any answer was vouchsafed.[3]

July An overture to Cardenas.

Sept. Sexby and Arundel in England.

Yet if Cromwell was beginning to despair of Spain, he had not lost his sympathy with the French Protestants, and towards the end of September, just

[1] *Verbael*, 160, 161. [2] Consulta, July $\frac{11}{21}$, *Simancas MSS.* 2,079.

[3] On Sept. $\frac{1}{11}$ the Archduke Leopold wrote to Philip IV., recommending him to form an alliance with England, on the understanding that Spain was not to break with the Dutch. In November, however, the question was still under consideration at Madrid. *Simancas MSS.* 2,079, 2,569.

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at the time when the Lord General learnt that his grand scheme for partitioning the globe found no favour in the eyes of the sober Dutchmen, Sexby and Arundel returned from their mission,[1] the last-named of the two having made an excursion to Brussels to confer with Condé. How Sexby had occupied his time we do not know, but as Conan reappeared in England about this time, and the question of an English occupation of Rochelle was again mooted, it is not unlikely that he had been making inquiries on the spot as to the disposition of the Rochellese.

Cromwell urged to war with France.

However this may have been, Sexby and Conan were able to bring pressure on the side of Cromwell's mind most accessible to persuasion. They could point to the signs of Mazarin's ill-will—not very strange after the prolonged coolness of the reception of the French ambassador in England—in continued retention of the English prize taken by Rupert, and the favour shown to Charles's privateers. Troubles, too, had arisen amongst the Protestants of the south, especially in the Vivarais where there had been armed resistance to the closure of Protestant churches by the Seigneur of Vals. It is true that these churches had been subsequently reopened by superior authority, but, as was but natural, the disturbance viewed from a distance assumed a blacker appearance than it did on the spot.[2] To desert the French

[1] Dyer, who accompanied Sexby as his servant, said in 1658 that they returned 'about August' (*Thurloe*, vi. 829). After such a lapse of time, this may easily cover September, and as Sexby claimed payment for his services during an absence of twenty-three months (*S. P. Dom.* lxxi. 49), and cannot have left before Conan's first interview with Cromwell on Oct. 16, 1651, whilst he almost certainly left soon after that, we may safely put down his return as taking place towards the end of September. Arundel's visit to Brussels is implied in Barrière's letter to Lenet of Oct. $\frac{14}{24}$, *Chantilly Transcripts*.

[2] Benoît, *Hist. de l'Edit de Nantes*, III. 158-170. The affair of

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Protestants in their hour of need was in Cromwell's eyes a betrayal of the most sacred obligation.[1] It was probably at this time, setting at nought the advice of the prudent Thurloe, that he offered to Sexby to send 6,000 men and a certain number of ships to re-awaken the war in Guienne, on the condition that the King of Spain would bear the expense.[2] Till an answer arrived from Madrid all that could be done was to despatch a competent person to report

Oct. Offers to help the French Protestants if Spain will bear the expense.

the Vivarais is mentioned by Bordeaux in his despatches of $\frac{\text{Aug. 29}}{\text{Sept. 8}}$, Sept. $\frac{19}{29}$, *R.O. Transcripts*.

[1] "To Cromwell," writes Mr. Firth, "as to most of his party, one of the worst sins of Charles I. was that he had induced the Huguenots to revolt against Louis XIII., and then left them to be crushed by his force. Englishmen abroad were accustomed to be taunted with their desertion of their co-religionists. 'I have heard,' wrote John Cook, 'fearful exclamations from the French Protestants against the King and the late Duke of Buckingham for the betraying Rochelle.' One of the arguments which the agents of the Huguenots of Guienne used when they appealed to Cromwell was 'that the churches of these parts have endured a very great brunt by the deceitful promises which have been made to them by the former supreme powers of Great Britain.' To this argument Cromwell was particularly accessible." *Journal of Joachim Hane*, Intr. xviii.

[2] "M. de Conan vient tout présentement de parler à Cromwel, qui l'a fort questionné sur les moyens de faire réussir l'affaire dont est question et a tesmoigné desirer avec passion qu'elle se peut exécuter, mais pourtant luy a dit qu'il ne se pourroit enguager à rien jusques à ce que l'on eust des nouvelles d'Espagne, et que lorsqu'il i auret de l'argent, on fourniroit toutes les choses nessessaires, luy a recommandé de revenir le plustost qu'il pourret, et que peut estre à son retour les afaires auroyent changé de face, et que, sela estant, luy, Cromwel, et tout ce qui gouverne en Angleterre estoyent entièrement portés a sela pour le soulagement du peuple et pour le service de son Altesse, pour qui il tesmoigne une grande passion. Je crès bien qui se on a d'Espagne ce que on en atend, on pourra peu a peu engager l'Angleterre. Mais jusqu'à ce que nous ayons responce d'Espagne, il ne faut rien esperer." In a later despatch to Condé, written on Nov. $\frac{11}{21}$, Barrière says that the news of the retreat of the Spanish fleet from the Gironde had then reached England (it took place on Oct. $\frac{20}{30}$, Chéruel, *Ministère de Mazarin*, ii. 85), but that Cromwell 'n'a point changé de volonté pour sela, et si V. A. a dessein que l'on entreprenne l'afaire de Conan, on aura isi pour de l'argent les gens de guerre.'

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on the condition of Havre and Rochelle, two ports which in the event of war it might be convenient to occupy, perhaps also on the condition of Bordeaux itself.

A report wanted on the French ports.

For this purpose Cromwell selected Joachim Hane, a German engineer officer, to whose skill it had been mainly due that the castles of Edinburgh and Stirling had fallen as rapidly as they did, and whose services had been in request after the reduction of Scotland wherever fortifications were planned to hold the country in subjection. On October 11, scarcely more than a fortnight after Cromwell's astonishing proposal for a war against Spain had been made to the Dutch ambassadors, Hane was despatched on the perilous mission of reporting on the state of the French maritime fortresses in view of a possible war against France in alliance with Spain.[1] It was not levity that was at the root of this revulsion of feeling in Cromwell's mind, but sheer inability to formulate a consistent foreign policy, which would find room for an energetic display of the strength of England, and would at the same time in one way or another strike a blow for that which he conceived to be the cause of God upon earth.

Mission of Joachim Hane.

In reverting, at least as a contingency, to the Spanish alliance, Cromwell was once more in harmony with the fanatics who were beginning to dominate the Parliament which owed its origin to himself. On the subject of the Dutch war there was no such agreement. To Cromwell, as a man of sense, it appeared reasonable that the existing hostilities should be brought to a conclusion before entering on new ones. To the nominated Parliament it seemed advisable that the Dutch should be crushed, or driven to

Cromwell differs from Parliament on the subject of the Dutch war.

[1] *Journal of Joachim Hane*, ed. Firth, Intr. vi. vii.

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accept the proposed amalgamation as a preliminary to a war against France, lest Mazarin should find supporters in a people which had been irritated past endurance by England.[1]

The financial strain.

The need of peace was indeed brought home to all who had ears to hear by the financial strain upon the resources of the Commonwealth. The necessity of providing some extraordinary supply had been long under discussion. On September 5 Parliament was informed that there would be a deficit of 515,000*l.* on the estimates for the navy.[2] It was at once proposed to meet the difficulty by calling to account the members of the Long Parliament suspected of malversation.[3] Lenthall, it was said, would be the first to suffer. The scheme was, however, abandoned in favour of a financial operation on the lands of recusants. Every recusant was to be called on to free himself from the annual payment due by him to the State, by the immediate advance of a sum equal to four years' purchase in the case of rentals, and of one-third of the personal property liable to forfeiture. In the event of his being unable or unwilling to enter into this arrangement, any other person, by making over the same amount to the Government, might purchase the right of levying during the

Sept. 5. Deficit on the navy.

Oct. 21. Act for levying money on recusants' lands.

[1] That the Fifth Monarchists were for prolonging the war is well established. Harrison, write the Dutch Commissioners, 'ende de factie der Anabaptisten . . . altydt gelooft wierdt onse negotiatie meest te traverseren' (*Verbael*, p. 160). An intercepted letter in *Thurloe*, i. 621, tells the same story: "The Anabaptistical party, who are very prevalent in the House, oppose it"—*i.e.* the peace—"most furiously." Compare Salvetti's Newsletter, Dec. $\frac{16}{26}$, *Add. MSS.* 27,962, O. fol. 176, and News from the Hague, Jan. $\frac{13}{23}$, *Clarendon MSS.* ii. No. 1,684. John Rogers, the Fifth-Monarchy preacher, calls for a war against the Dutch as preferable to one against the French (*Sagrir*, pp. 14, 79, E. 716, 11).

[2] *C.J.* vii. 314.

[3] Newsletter, Sept. 16, *Clarendon MSS.* ii. No. 1,390.

lifetime of the recusant the fines and forfeitures hitherto paid to the Commonwealth. An Act giving effect to this scheme was passed on October 21, Praise-God Barebone acting as teller against it, apparently on the ground that it implied a toleration of 'popery.'[1]

The fleet after the battle of the Texel.

In the long run this plan might possibly be efficacious, but it would do little to meet the immediate wants of the navy. It was indeed of little importance that by the confession of Monk himself the fleet had been 'very much shattered in the battle of the Texel.' As much might have been said after Trafalgar. The real difficulty lay in the failure of Parliament to meet the expenses incurred in its service. It was not that good will was lacking. After the fight in the North Sea, the sick and wounded were distributed amongst the towns and villages of the east coast, and not only were surgeons sent down to attend to their necessities, but a kindly widow, Elizabeth Alkin—familiarly known as Parliament Joan—had volunteered to tend them on their sick beds, anticipating the devotion of the nineteenth century. Yet it was easier to organise help than to find the money needed to support it. On July 10, before the last battle, there were bitter complaints that the householders on whom the sufferers were quartered were left unpaid, so that they began to weary of their guests, and it was only on Monk's personal engagement that the assistance was continued.[2] Parliament Joan herself could get no advance upon the 5*l.* given her when she came down to Harwich, beyond 20*s.* from the mayor, and 10*l.* from Major

Parliament Joan.

[1] *Act for Recusants*, E, 1,062, No. 20; *C.J.* vii. 337; An Exact Relation, *Somers Tracts*, vi. 274.

[2] Monk to the Admiralty Committee, July 10, *S. P. Dom.* xxxviii. 34.

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Bourne, who had charge of the maritime district. The whole of the latter sum she spent not only on the English sick and wounded, but on the Dutch prisoners as well. Seeing, as she wrote, 'their wants and misery were so great, I could not but have pity upon them, although our enemies.' The constant strain on her strength bore her down, and she was compelled to return to London, her life wrecked by her lonely strivings to assuage the sufferings of the seamen.[1]

Complaints of the sailors.

The complaints of individuals might be passed over in silence. It was less easy to meet the complaints of a numerous class. The sailors as a body were left unpaid. It is true that the Government made most satisfactory arrangements on the subject, and were able to announce that no ship's crew would be sent ashore without its earnings. It was none the less a fact that ships were kept long in commission in order to avoid payment of wages, and that the wives and children of seamen were left to starve till the time came when their husbands or fathers were restored to them.[2] In October a mutinous spirit was widely diffused. On the 5th, 200 of the 'Unicorn's' company at Chatham refused to go on board without pay. Later in the day two other ships' crews joined in the protest, and declared that they would go to London to seek redress.[3] On the 21st, 400 seamen at Harwich refused to do duty unless they were paid. They wandered about the fields pulling up the gates and stiles.[4] It was more serious when on October 26 the crews of the ships in the river poured themselves

Oct. A mutinous spirit.

Oct. 26. Mutineers in London.

[1] The story has been collected from the State Papers by Mrs. Everett Green, *Calendar*, 1653–4, xxxi. xxxii.

[2] Bourne to the Navy Commissioners, Oct. 21, *S. P. Dom.* xli. 60.

[3] Pett to the Admiralty Committee, Oct. 5, *ib.* xli. 21, 22.

[4] Bourne to the Navy Commissioners, Oct. 21, *ib.* xli. 60, 61.

over the streets of London, clamouring for pay and prize money. A party of three or four hundred, some of whom were armed,[1] betook themselves to Whitehall. As they were pushing through the streets they were met by Cromwell and Monk. Their roughly expressed demand for justice so exasperated the latter that he drew his sword and, striking the most forward, half persuaded, half compelled them to retire. Enough of the spirit of discipline still prevailed amongst the malcontents to make them unwilling to use force against their general.

Monk drives back the mutineers.

Monk's personal intervention, however, had no more than a temporary effect. Next morning a far larger crowd appeared to require satisfaction. When they approached Whitehall they found the street blocked by a regiment of infantry, supported by four troops of cavalry. Exasperated at the sight, the sailors pushed amongst the soldiers, and began snatching their guns out of their hands, whilst one of the mutineers pointed a musket at Cromwell himself. A cavalry charge soon put a stop to their violence. Of the ringleaders one was hanged and another flogged. A proclamation assured the mariners that whilst any further attempt at mutiny would be punished with severity, every means would be taken to secure the due payment of their wages and prize money. Not a word was said of the grievance which lay at the bottom of the sailors' complaints—the postponement of payment till the crews were dismissed the service.[2]

Oct. 27. A second mutiny suppressed by soldiers.

On the other side of the North Sea there was no

[1] According to Bordeaux, they were unarmed, but Pauluzzi says 'that many of them had swords and halberts, and some firearms.'

[2] Pauluzzi to Morosini, Nov. $\frac{3}{13}$, *Letter Book R.O.*; Bordeaux to Brienne, $\frac{\text{Oct. 30}}{\text{Nov. 9}}$, *R.O. Transcripts*; Newsletter, Nov. 4, *Clarendon MSS.* ii. No. 1,502; Proclamation by the Council of State in *The Moderate Publisher*, E, 222, 3.

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Sept. 11. Opdam to succeed Tromp.

Oct. Naval preparations in Holland.

Oct. 23. De With brings a convoy into the Texel.

Proposal to make a dash at the Thames.

confession of defeat, no thought of bowing the necks of the free Provinces under the detested yoke of amalgamation. Opdam—like Monk a land officer, and therefore less likely to excite the jealousy of the sea-commanders—was appointed the successor of Tromp. New taxes were raised[1] and men-of-war which were being built large enough to cope with the English ships were sufficiently forward if not to put to sea at once, at least to be ready for the next naval campaign.[2] On October 23 De With sailed into the Texel followed by a fleet of four or five hundred merchantmen safely convoyed from the Sound and the coasts of Norway. A day or two later English sailors were tramping through the streets of London as mutineers, and the English fleet was in no condition to make its former mastery felt. It was only lack of provisions which prevented the ships of the States from making a dash at the mouth of the Thames, and sinking ships to block up the entrance to the river in support of the negotiations for peace.[3] The struggle for the command of the North Sea had certainly not resulted in its complete domination by the English fleet.

[1] *Aitzema*, iii. 827, 828.

[2] Letter of Intelligence, Oct. $\frac{14}{24}$, *Thurloe*, i. 539.

[3] Letters of Intelligence, $\frac{\text{Oct. } 28}{\text{Nov. } 7}$, *ib.* i. 557, 560.

CHAPTER XXXI.

THE DUTCH PEACE.

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So far as foreign affairs were concerned, the election of the new Council of State on November 1 gave Cromwell a freer hand,[1] a change especially grateful to him because the time had now arrived when the negotiations with the Dutch commissioners must be seriously resumed. The two who had gone back to the Hague to report on the situation[2] were once more in England, having brought instructions to propose 'a firm alliance and close union' without any reference to the coalition which had been pressed on them at Westminster. On October 28, when they made their formal proposal, they showed some inclination to gratify Cromwell, at least in words, by offering a league—purely defensive, it is true—with France and the Protestant States, of which an alliance between England and the United Provinces was to be the corner-stone. This alliance, as they subsequently explained, implied joint action in behalf of the freedom and interests of both States. If this principle were accepted it would be easy, they imagined, to come to an understanding.[3]

Nov. 1. Cromwell has a freer hand in foreign affairs.

Oct. 25. Return of the Dutch Commissioners.

Oct. 28. They propose a league.

Oct. 31. Their explanation.

It was not till November 17, when the new Council was settled in office, that Cromwell, who had

Nov. 17. Cromwell's reply.

[1] See p. 257. [2] See p. 346. [3] *Verbael*, pp. 165–173.

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been appointed one of the commissioners for carrying on the negotiation, replied in the name of his colleagues, arguing that, if the coalition had been accepted, the rights and interests of the two nations would have been fused together, but that, the situation being changed by the rejection of the English proposal, it was necessary to define the rights possessed by each as a preliminary to the consideration of concessions which each might be disposed to make.

Nov. 18. His draft treaty,

On the following morning, to bring matters to a crisis, he produced a draft treaty as a basis of discussion. It was to be stipulated that neither side should assist or even give shelter to the enemies or rebels of the other. If either nation were about to conclude a treaty, it was—upon a demand being made to that effect—to insist that the other should be included in it. There was moreover to be freedom of trade between the two republics, provided that the existing laws were observed—a stipulation which indirectly upheld the Navigation Act. Natives of the United Provinces being Protestants might settle and even hold land in the British Isles.

and demands.

Other requirements were likely to rouse greater opposition. In the first place satisfaction was to be made to England for the charges of the war, though the ships and goods captured were to be reckoned as forming part of the compensation. In the second place neither the States General nor any single province should ever appoint the young Prince of Orange to any place of civil or military command. In the third place no Dutch ships of war beyond a certain number, to be fixed by the treaty, should pass through the British seas without the consent of the Commonwealth of England, and that too only upon three months' notice previously given. In

the fourth place, all ships of the United Provinces meeting any ships of the Commonwealth were to strike their flag and lower their topsail, and submit to be visited, if required, as well as to 'perform all other respects' due to the said Commonwealth of England to whom the dominion and sovereignty of the British seas belonged. Lastly, the right of fishery in these seas was to be permitted to the Dutch for twenty-one years only on payment being made of a sum hereafter to be determined. It was impossible that such articles could lead to mutual respect and good will. They were terms imposed by a conqueror on a vanquished nation.

The peace held to be desperate.

No wonder that peace was regarded in the Netherlands as desperate, and that De Witt urged the States General to persistent efforts and to alliance with the powers, such as France and Denmark, which had most to fear from the ambition of England.[1] Though the extreme demand for the limitation of the numbers of the Dutch men-of-war had been promptly dropped, Cromwell showed no sign of being prepared to make further concessions, and on December 5 the three surviving representatives of the United Provinces—Van de Perre had died on the preceding day—demanded their passports.[2] Two days before this Desborough and Penn were appointed Generals of the Sea in addition to Blake and Monk,[3] whilst every care was taken to strengthen the fleet in order that it might be ready for all emergencies.[4]

Dec. 5. The Dutch Commissioners ask for passports.

It is by no means unlikely that Cromwell's insistence upon demands so harsh was, in part at least,

[1] *Aitzema*, iii. 880; *Geddes*, 374; *Verbael*, p. 188.

[2] *Verbael*, p. 243.

[3] *C.J.* vii. 361.

[4] Monk to the Admiralty Committee, Nov. 28, Dec. 3, *S. P. Dom.* xli. 118.

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Effect of the establishment of the Protectorate.

the effect of his wish to conciliate the nominated Parliament, which was notoriously disinclined to make peace except on terms most humiliating to the enemy.[1] At all events his establishment in the Protectorate was followed by the adoption of a more considerate policy. On December 22, when the conferences were resumed, Oliver agreed to drop the requirement that the Dutch should pay a sum of money in acknowledgment that the war had originated with them; as well as the demand that they should lease the fishery in the North Sea from the English Government and acknowledge the right of search. He continued, however, to insist that Dutch ships should strike their flags and lower their topsails in the 'British Sea,' and that the Prince of Orange should be excluded from office, though he agreed that this should be done by a secret article. The King of Denmark was to have no benefit by the treaty, and a fresh demand was made for compensation for the murder of Englishmen in Amboyna. To provide for the future, commissioners were to be appointed to settle the East India trade to the advantage of both States, and to examine the wrongs alleged to have been done to the English, not only in the East by the seizure of Pularoon and Puloway, but also in other parts of the world. Further, in notable anticipation of modern procedure, Cromwell asked that if within three months the commissioners failed to agree, the differences between them should be referred to the arbitration of the Protestant cantons of Switzerland.[2]

Dec. 22. Resumption of the conferences.

International arbitration proposed.

On the far greater number of the points still at

[1] See p. 358.

[2] *S. P. Dom.* xli. pp. 198–274. For the seizure of Pularoon and Puloway, see *Hist. of Engl.* 1603–1642, iii. 167; iv. 407.

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issue, an agreement, if not actually reached, might, at least, be reasonably expected. Two only stood out as the subject of prolonged antagonism—the exclusion of the King of Denmark from the benefits of the treaty and the exclusion of the Prince of Orange from office. On the first head the Dutch, naturally, showed themselves irreconcilably hostile. Angry as Cromwell may have been with the King for his seizure of the twenty-two English ships detained at Elsinore,[1] the United Provinces were bound by all considerations of honour to see that a prince, who had damaged English commerce on their behalf, suffered no loss thereby. Though Cromwell was driven to agree to an arrangement for the restitution of the ships and the payment of a compensation to their owners, he persistently refused to include the King in the treaty. As, however, he acknowledged that he had other grievances against the King, the Dutch commissioners came to the conclusion that he wished to isolate Denmark, and declare war against her nominally on the ground of these further complaints, but, in reality, in consequence of the seizure of the ships. They, accordingly, prepared to return home to seek further instructions rather than yield. On January 3 they left London, but on the following morning, whilst they were at Gravesend preparing to embark, they received an intimation from Thurloe that the Protector had at last given way, and that the King of Denmark, on making restitution and satisfaction, should be admitted to the treaty. One stumbling-block in the way of peace was thus removed.[2]

Question of the King of Denmark's exclusion from the treaty.

1654 Jan. 3. The Commissioners leave London.

Jan. $\frac{3}{13}$ An agreement arrived at.

The question of the Prince of Orange's exclusion from office was, if Cromwell persisted in requiring a vote of the States General, certain to wreck the

Is the Prince of Orange to be excluded from office?

[1] See p. 140.

[2] *Verbael*, pp. 275–292.

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treaty. It was notorious that the States General would never accept a proposal hostile to the House of Orange, and that they would have, in their refusal, the support of the majority of the provinces and of the population. On the other hand, in the prospect of a Prince of Orange again filling the Stadtholderate or any other post giving him the control of the land and sea forces of the Republic Cromwell foresaw a renewal of the hostile action of William II., which would afford to the Stuart princes a basis of operation against the English Commonwealth with the avowed or secret assistance of their nephew. There seems to be no reason to doubt that it was to Cromwell that the suggestion of a practical way out of the difficulty was owing, and even that this solution had been discussed by him in privacy with one or more of the Dutch commissioners before they set sail from England.[1] It was notorious that the Provincial States of Holland were strongly opposed to the pretensions of the House of Orange, and it was hardly conceivable that, without the consent of that influential province, the States General would venture to revive the Stadtholderate in favour of the prince when he came to years of discretion. Why therefore might not Holland be asked to engage to resist his nomination, whilst the States General were no longer invited to make any such promise? In that case it might be enough to ask the States General to engage that any future Captain-General should be bound to swear to the observance of the treaty.

Secret diplomacy.

When, therefore, the returning commissioners reached their destination they imparted only the second of these two proposals to the States General.

[1] The indications—they are hardly more—are discussed by Mr. Geddes, pp. 381–393.

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The first they reserved for the ear of De Witt. Strange as it may seem, De Witt had kept the most important part of his diplomacy secret, not only from the States General, but even from his own immediate masters, the States of Holland. If ruling bodies insist upon conducting a negotiation in a glass house, subjecting it to reference to several provinces, or to the component parts of each province, the minister who had the primary management of the affair is compelled to have recourse to shifts from which the servant of an absolute sovereign, or even the minister who possesses the full confidence of Parliament in a constitutional State, is altogether free. He is driven to hoodwink his superiors, to keep them from knowing what is being done in order that they may not oppose it or delay it, and even, as was the case with De Witt, to employ deceit and subterfuge to drive them into doing that which they have no mind to do, but which seems to himself to be necessary for the salvation of the State.[1]

De Witt's shifts.

Jan. 25. Return of Beverning.

There can be little doubt that De Witt earnestly hoped that Cromwell would content himself with the clause which had been laid before the States General. Beverning was hurriedly sent back to London to keep the Protector in good humour, and on his arrival on January 25 learnt that Cromwell had expressed himself highly satisfied that there was once more a Dutch representative in England. Yet when Beverning sought an audience it was not only refused, but he was himself treated with studied rudeness. The explanation was not far to seek. The States General had given him no credentials to the Protector, nor

His treatment in England.

[1] On all this see Mr. Geddes, who goes into the story in great detail.

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had in any way authorised him to recognise the new Government.[1]

Feb. 9. Vote of the States General.

The success or failure of the negotiation now evidently depended on the States General, and on February 9 that body sufficiently accommodated itself to the urgency of De Witt as to vote that Nieuport and Jongestal should rejoin Beverning, the three together bearing the titles of Extraordinary Ambassadors to the Lord Protector, whose title was thus recognised without qualification. They were to attempt to amend the treaty sent over from England, and to accept the proposal that any future Captain-General should be required to make oath to maintain it.[2]

Feb. 28. Beverning joined by his colleagues.

Beverning was rejoined by his colleagues on February 28. When, four days later, they were conducted through the streets of London to their lodgings, they were not only treated with every mark of official courtesy, but were greeted with the loud and hearty acclamations of the crowd. Peace—a necessity for the United Provinces—was welcomed in England as a relief from the burdens and anxieties of war.

March $\frac{2}{12}$. Their reception in London.

April 5. Signature of the treaty.

Under these circumstances a satisfactory conclusion could with difficulty be avoided. A month was still spent in diplomatic contention, but on April 5 the treaty was signed by six English commissioners and the three ambassadors. Not much was left of the original scheme for an actual amalgamation or at least for a close union. A conjunction for the defence of the liberties of either people was announced, and a stipulation that each State should lend aid when required by the other at the expense of the

[1] Beverning to De Witt, $\frac{\text{Jan. } 27}{\text{Feb. } 6}$, Nijhoff's *Bijdragen voor Vaderlandsche Geschiedenis*, X. 301; *Verbael*, p. 294.

[2] *Ib.* 297–304.

party making the demand, and should expel from its borders the enemies or rebels of the other. This last clause virtually amounted to an engagement by the Dutch to keep the Stuart Princes at a distance. The further requirements of the English Government had been equally winnowed down. What remained was the acknowledgment of the salute owing to its flag 'in the British seas,' and the engagement to do justice on the Amboyna murderers, 'as the English Common wealth,' say the Dutchmen, 'thought fit to style them.' Not merely the wrongs alleged to have been suffered by the English in the Eastern seas and elsewhere, but those alleged to have been suffered by the Dutch were to be referred to arbitrators equally selected from the two nations. Questions left open at the end of three months were to be submitted, according to Cromwell's suggestion, to the Protestant Cantons of Switzerland.[1] In the end the arbitrators, without the necessity of referring to the Swiss Cantons, adjudged Pularoon to England, and ordered the Dutch East India Company to pay to the English Company 85,000*l.*, and 3,615*l.* to the representatives of the Amboyna victims.[2] After this nothing further was heard of prosecuting the authors of the outrage, if indeed any of them were still living. Moreover, the Dutch having undertaken to make good the losses of the owners of the English merchantmen detained in the Sound, another body of arbitrators was appointed to assess the damages in this case; an early decision having been secured by a stipulation that if they had not come to an agreement by August 1 they should be shut up without fire, candles, food or drink till they had

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Arbitration in losses in the East.

July 31. Arbitration on the Danish losses,

Aug. 30. on maritime losses,

July 31. and on those in the Sound.

[1] *Verbael*, 357. The treaty is also printed in Dumont's *Corps Diplomatique*, vi. 2, 74.

[2] *Ib.* vi. 2, 83.

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made up their differences. On July 31, just as their term of grace was about to expire they awarded 97,973*l.* os. 10*d.* to the aggrieved shipowners.

April 5. Oliver expects the exclusion of the Prince of Orange by Holland.

The diplomatic battle between the Protector and the States was, however, by no means at an end with the signature of the treaty on April 5. Oliver held De Witt responsible for the procurement from the States of Holland of an Act excluding the Prince of Orange from office under the States General. All De Witt's pleadings could not alter his resolution. The Protector informed the two Hollanders, Beverning and Nieuport, that if he was to ratify the treaty, it must be upon their giving their word that their province would carry out his wishes within two or three months at the latest.[1] This was the message which reached De Witt together with the treaty.

De Witt's manœuvre.

That provident statesman had already taken measures to bring about a result which, however much he might regret it, he now regarded as inevitable. To gain time he had persuaded the Provincial States to give themselves a short holiday.[2] In their absence he urged the States General to ratify the treaty, and they, utterly ignorant of De Witt's secret intentions, and overjoyed at finding that the treaty contained no clause prohibiting the future appointment of the Prince, ratified it on April 12, the very day after its delivery at the Hague.[3]

April 12. The treaty ratified by the States General.

When the States of Holland met again on the

[1] Beverning and Nieuport to the States of Holland, April $\frac{6}{13}$. Nijhoff's *Bijdragen* X. ii. 234. Mr. Geddes (407) says that Oliver proposed to ratify 'under a protest that it would be null and void unless an Act of Exclusion were delivered to him by Holland within two or three months.' I can, however, find nothing of this in the ambassador's letter, which agrees with the account in *Thurloe*, ii. 238.

[2] *Geddes*, 405.

[3] *Verbael*, 392.

18th, De Witt, after an oath of secrecy had been taken, revealed the nature of the demand made upon them by the Protector. Hostile as they were to the House of Orange, there were some who hesitated to take on their shoulders the burden of an act constitutionally so questionable as the giving of an undertaking to a foreign power without consultation with the other provinces. The matter was therefore referred to the towns by their delegates. On April 21, when the answers were returned, it was found that a large majority of the towns and all the nobles were in favour of granting the required Act, a concession which De Witt knew was more urgent than ever, as Oliver now protested that, though he was still willing to ratify on the promise of the ambassadors, he should not hold the treaty to be binding on him unless the required Act were delivered within a few days. De Witt therefore put forth all his influence, with the result that, on April 24, the Exclusion Act was passed by a majority of thirteen towns to five. It was at once despatched to England. A sham letter accompanied it, to be shown to the Frieslander Jongestal, in order to keep him in the dark.[1]

April $\frac{18}{28}$. A debate in the States of Holland.

April 21. Another debate.

April 24. The Exclusion Act passed.

Oliver had not waited for the passage of the Exclusion Act to do his part. Satisfied with the assurances given him by the two Hollanders, he ratified the treaty on the 19th, and caused it to be proclaimed with all solemnity on the 26th. Not for many years, it was said, had any proclamation been so enthusiastically received. On the following day the Protector entertained the ambassadors at dinner at Whitehall, whilst the wives of the two married ones were received at dinner by the Lady Protectress.

April 19. Oliver ratifies the treaty.

April 26. Its proclamation.

April 27. The ambassadors entertained at Whitehall.

[1] *Geddes*, 415-420.

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Afterwards the whole company was conducted into a music-room, where, after an instrumental performance, Oliver took from Pickering a copy in some metrical version of the Twenty-third Psalm: "Behold how good and how pleasant it is for brethren to dwell together in unity." "We have," said Oliver, as he handed it to the ambassadors, "exchanged many papers, but I think that this is the best of them." After the Psalm had been sung by four voices, the company dispersed.[1]

Delay in delivering the Act of Exclusion.

Some time was to elapse before the Act of Exclusion, so hardly won, reached the hands of the Protector. De Witt, hoping against hope that Oliver would yet relent, instructed the two ambassadors to draw him, if possible, from his purpose. Oliver was, however, obdurate, and in the meanwhile such a storm had arisen in the Netherlands that it was impossible to prolong the delay. Hearing on May 27 that the States General had resolved to demand a copy of the Act from their ambassadors in England, De Witt, who did not know but that the States General might proceed to a positive order to keep it back, contrived, partly by resolutions of the Provincial States of Holland, partly by private letters of his own, to give the two Holland ambassadors reason to understand that its delivery would be taken well by their masters, and the Act was therefore placed by them in the hands of the Protector.[2]

May 27. The delivery of the Act ordered.

The Act delivered.

Oliver's diplomacy.

Oliver had thus obtained a peace with the Dutch accompanied by what he expected to prove a per-

[1] *Verbael*, 407, 419; Jongestal to Count William of Nassau, *Thurloe*, ii. 257.

[2] The whole story of the shifts to which De Witt was put to gain his ends is told by Mr. Geddes (*John de Witt*, 422–429). De Witt's letters on the subject are printed in Sypesteyn, *Geschiedkundige Bijdragen*, ii. Bijlagen, p. 74.

manent bar to the advancement of the young Prince of Orange to a position in which he might become dangerous, if not to England, at least to the system of government which at that time prevailed in England. It might indeed be objected to Oliver's diplomacy that, if he had known the Continent as he had known England in the days of the Civil War, he would not at the commencement of the negotiations have taken up ground from which, if Dutch patriotism was not a quality to be left out of account, he would certainly be compelled to recede. To some extent, no doubt, his mistake was attributable to the necessity of conciliating the nominated Parliament; but a great part of the blame lies at Oliver's own door. He had an overweening confidence in the power of England to accomplish great things, which sometimes prompted him to believe that she could obtain anything for which she chose to ask. At all events, after he had the game in his own hands by the establishment of the Protectorate, he conducted his retreat from an untenable position without loss of dignity, and the final bargain which he struck was, as far as money payments were concerned, no more than a requirement that positive losses unfairly suffered should be made good.[1] The demand for the striking of the flag, monstrous as it appears at the present day, was one which every Englishman in the seventeenth century—Oliver himself most of all—would have pressed as essential to the honour of the country.

On the other hand, it may reasonably be questioned whether, even from his own point of view,

[1] This is true even of the compensation for the losses incurred by the Danish seizure of English ships. If the Dutch hindered England from seeking redress from the King of Denmark, they must take on themselves the consequences of his acts.

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Was it wise to insist on the Act of Exclusion?

Oliver gained anything by insisting on the Exclusion Act. The real obstacle to the restoration of the Stadtholderate was to be found in the grasp of the oligarchy over the province of Holland. As long as that grasp remained unloosed, no restitution of the House of Orange to its old authority was likely to be brought about. If, under any circumstances, that grasp should fail, the Stadtholderate would indubitably be restored, whatever laws and treaties might say to the contrary. Nor was it the only defect in Oliver's policy in this matter that the Act of Exclusion was useless. It set up an irritation against Holland in the other States which, if only the young Prince had reached years of discretion, would, in all probability, have raised a storm powerful enough to sweep De Witt and his colleagues—the only allies on whom the Protectorate could count in the Netherlands—from the political field.

Of Oliver's more ideal aim, that of establishing a Protestant league on the basis of an alliance with the Dutch Republic, nothing but words remained. It is true that, on April 5, the day on which the Dutch treaty was signed, he despatched John Dury—an enthusiast who had worked for the religious union of all Protestant sects under the auspices of Laud—to pursue the same enterprise with the full support of a Puritan government. Dury was everywhere received with the respect to which his transparent honesty of purpose entitled him; but though good words in plenty were addressed to him, not a step was taken to give effect to his entreaties.[1]

April 5. Dury's mission.

No Protestant league to be had.

It was no peculiarity of Dutchmen that they were bent on the pursuit of material rather than

[1] *A Summary Account of Mr. John Dury's . . . Negotiation*, 698, g., 12 No. 10.

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spiritual aims. In every part of Europe Oliver was confronted by the difficulty of finding any one who cared for the defence of a Protestantism which, except in occasional circumstances, was by this time able to take care of itself. Even before the dissolution of the Long Parliament, there had been talk of sending an embassy to Sweden, and Lord Lisle had been selected as ambassador. Lisle, however, from time to time postponed his departure, and ultimately, in the autumn of 1653, declined to go, on the plea of ill-health. At Cromwell's suggestion, the Council of State pitched on Whitelocke to take his place. Cromwell was no mean judge of men, and he had a good opportunity to judge of Whitelocke's business capacity, when they were associated in the negotiation for the cession of Dunkirk.[1] That Whitelocke was no religious enthusiast, and that he was timorous in domestic politics formed—as the event showed—no hindrance to success in the work given him to do; that work being in the main a matter of business. The instructions he received from the Council of State were confined to directions to arrive at an understanding in matters of trade, and especially to urge the Queen of Sweden to join England in opening the Sound to the free passage of commerce, 'that it may not depend upon the will of the King of Denmark or the United Provinces of the Netherlands.'[2] Though Lagerfeldt, the Queen's ambassador in England, had been for some time offering the

1653 Proposed embassy to Sweden.

Lord Lisle will not go.

White-locke selected.

Oct. 28. His instructions.

[1] The suggestion that Cromwell sent Whitelocke to Sweden to get him out of the way whilst he seized the Protectorate is inadmissible. He was at that time working in close agreement with the nominated Parliament, and he can hardly have thought of a revolution against it. The idea that Cromwell was afraid of Whitelocke is simply ludicrous. He had faced him with impunity when he turned the Long Parliament out of doors.

[2] Whitelocke's *Swedish Embassy*, i. 89.

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Oct. 29. Swedish mediation refused.

mediation of his mistress in the war which was still raging, the Council of State would not hear of the intervention of a third power, telling the ambassador that God, in His own good time, would influence the Dutch to respond to their own heartfelt desire for peace.[1] To Cromwell the material claims he himself put forward were not all that his heart desired. Neither he, nor even Whitelocke, would be satisfied unless an agreement with Sweden brought some accession of strength to Protestantism. "Bring us back a Protestant alliance!" were his last words as he took leave of the ambassador.[2]

Cromwell takes leave of Whitelocke.

Whitelocke well knew that his journey was not unaccompanied with danger. To preserve himself from the fate which had befallen Dorislaus and Ascham, he took with him a retinue of a hundred persons, choosing eight lacqueys out of the General's regiment of foot, 'proper, stout, and civil men.' To us the most interesting part of his embassy is the picture he drew of the young Queen, spirited and eccentric, with a keen intellect and a richly stored mind, who, with no political task in Sweden the accomplishment of which seemed to come within the range of possibility, found herself ill at ease amongst her subjects. She shrank, as Elizabeth had shrunk, from the bonds of marriage, which would place her in the hands of a man who would use her for his own ends, but, unlike Elizabeth, having first declared her successor to be her mother's nephew, Charles Gustavus, of the Palatine family of Zwei-

Whitelocke provides for his safety.

Queen Christina.

[1] Lagerfeldt to the C. of St., Oct. 26; the C. of St. to Lagerfeldt, Oct. 29, *Portland MSS.*, *Hist. Com.* Rep. xiii. App. i. 1.

[2] Whitelocke's feeling about the Protestant cause may be gathered from the account he gives in his *Swedish Embassy* of his motives for going. Cromwell's words are reported in a letter from Ellis Leighton, which will be quoted at p. 430, note 1.

brücken, she was now contemplating an abdication which would set her free from the trammels of royalty. Add to this that Christina was wearied to death by the long sermons and dry theology of the Lutheran divines, and it becomes intelligible that she had made up her mind to submit to the Papal religion, partly because she admired it for placing the dignity of the unmarried above that of the married life—partly because she expected to find in it free scope for her intellectual imaginations.

1653

Dec. 23. Christina's reception of Whitelocke.

Of this latter possibility neither Whitelocke nor those who sent him had any conception. The ambassador soon found delight in the information and mental accomplishments of the little lady who was dressed, in sheer defiance of the canons of fashion, in a plain grey petticoat sweeping the ground and a jacket of the same colour, such as men wore, reaching to her knees. On her neck was a black scarf tied with a black ribbon, like that usually worn by soldiers or sailors, and on her head a black velvet fur cap, lined with sable, which she used to put off and on as men did theirs. Her only condescension to the feminine love of brightness was a crimson ribbon fastening the jewel of the order of Amaranta which she had herself invented.

1654 Question of opening the Sound.

Whitelocke found Christina by no means inclined to reject the idea of a conjunction between the English fleet and her own to open the Sound to foreign commerce. Though she was now at peace with Frederick III. of Denmark, and had secured by the Treaty of Brömsebro in 1645 the exemption of her own subjects from the Sound dues, there had been a long rivalry between the two countries, which from time to time had broken out into open war, and there was something attractive in the prospect of

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seeing the Swedish ports in the Baltic open without hindrance to the shipping and commerce of other nations. Moreover, no Swede could be otherwise than pleased with the thought of breaking up the hold of the Danish king on the shores on either side of the Sound. Yet in spite of all these influences in his favour Whitelocke did not find his business progressing. It may be that the Swedes, much as they disliked the Danes, disliked still more the prospect of an English fleet commanding the Baltic by the occupation of fortresses on the shores of the Sound.[1] It is certain that both the Queen and the aged chancellor Oxenstjerna thought it more prudent to await the issue of the English negotiations with the Dutch Republic before coming to a decision. When it was known that a treaty in which the King of Denmark was comprised had been agreed on at Westminster, there was no longer any motive for Whitelocke to press for an armed alliance against Denmark. He therefore contented himself with a treaty for the friendly regulation of commercial intercourse between the two nations. This treaty was signed on April 11,[2] and Whitelocke left Sweden too soon to be a witness of the Queen's abdication on June 6, or the subsequent coronation of her cousin and successor as Charles X.[3]

April 11. A commercial treaty.

June 6. Christina's abdication.

The question of the Sound dues now had to be settled, if settled at all, by a direct negotiation between England and Denmark. On September 15, accordingly, a commercial treaty[4] was signed between

Sept. 15. A treaty with Denmark.

[1] On November $\frac{11}{21}$, 1653, the Dutch Commissioners write that the Swedish agent Lagerfeldt had assured them that the Queen 'Danum semper quam Anglum vicinum mallet' (*Verbael*, 181, 182).

[2] Dumont, *Corps Diplomatique*, vi. ii. 80.

[3] Whitelocke's *Journal of the Swedish Embassy*.

[4] Dumont, *Corps Diplomatique*, VI. ii. 92.

the Protector and Frederick III., in which it was stipulated that English vessels should pay no dues higher than those charged on other nations, except the Swedes who were exempted from payment. Practically, the result of this treaty was to place English commerce on an equality with that of the Dutch in the Baltic, as the peculiar arrangement by which the Dutch had redeemed the Sound dues [1] had fallen through, and vessels of that nationality had since been required to pay according to a tariff fixed at an earlier date.

July. English ships lading for Antwerp.

But for Oliver's prudence another question would have been opened, not altogether dissimilar from that of the Sound dues. As Denmark held both coasts of the opening into the Baltic, so did the United Provinces hold both coasts of the opening into the Scheldt. In the latter case, however, the treaty of 1648 between the Provinces and Spain acknowledged that the river was to be closed—that is to say, not that all commerce was forbidden, but that every ship, whether Dutch or foreign, bringing goods for the Spanish territory on the Scheldt was to pay all the dues required by the province of Zealand, and to transfer the goods to vessels belonging to that province, by which they would be carried up the stream,[3] whilst no vessel from the Spanish Netherlands would be allowed to pass down the river to the sea.[4]

[1] See p. 82.

[2] For a sketch of the history of the Sound dues, see Wheaton, *Hist. of the Modern Law of Nations* (ed. 1845), p. 160.

[3] The Dutch ambassadors to the States General, July $\frac{2}{13}$; the States General to the ambassadors, July $\frac{14}{24}$, *Verbael*, pp. 482, 513. The last letter incloses (p. 514) an arrangement based on diplomatic papers exchanged when the treaty with Spain was under discussion, the effect of which is given above.

[4] This is not mentioned in the passages referred to in the last note, but is implied in the phrase 'the closing of the Scheldt.' In 1784,

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The Dutch protest.

Obviously, no trade could be successfully carried on on such conditions. When, therefore, the States General heard that English merchants were proposing to send cargoes direct to Antwerp, on the ground that the treaty gave them the right to trade in or through any places within the jurisdiction of the United Provinces, they at once protested that this permission was stated to be subject to the laws of the country, and that those laws prohibited trade with Antwerp except on the conditions named. Oliver had no mind to provoke a new war on a point on which the Dutch were so sensitive, and the permission sought by the English merchants was never accorded.

Commercial understanding with the chief Protestant States.

So far the outcome of Oliver's negotiations was that he had entered upon advantageous commercial relationships with the chief Protestant States—Sweden and Denmark, the Swiss Protestant Cantons, and certain princes and cities of the empire which had asked to be included in the Dutch peace.[1]

1652

A negotiation with Portugal.

Not, indeed, that Oliver was so wedded to a sectional Protestantism as to be unwilling to contract friendship with a Catholic power if he could thereby secure commercial advantages for Englishmen, and some modified toleration for the exercise of their religion. It was with this aim in view that a treaty with Portugal had been for some time under nego-

when Joseph II. attempted to set this arrangement at naught, he sent down a vessel with orders to reach the sea. The Dutch stopped it on the ground that it was bound to obtain a passport and pay duties at Fort Lillo. (Martens, *Causes célèbres du droit des gens*, 2me édition, iii. 338.) This must mean that the vessel had the right of taking goods to the territory of Zealand on paying duty, but not of putting to sea. Mirabeau, in his *Lettres Historiques* (p. 103), only states part of the purport of the clause in the treaty. The agreement, he says, was 'que la navigation de l'Escaut, d'Anvers à la mer, seroit fermée à tous autres qu'aux possesseurs de ses embouchures.'

[1] *Verbael*, pp. 502–504.

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1652 Dec. Compensation to be paid.

1653 April. Preliminaries agreed to,

but the money promised left unpaid.

tiation. Early in December 1652 her ambassador, the Count of Peneguiaõ, had agreed to pay 50,000*l.* in compensation for the losses of English merchants at the time of Rupert's visit to Lisbon,[1] and before the breaking up of the Long Parliament a treaty had been drafted which accorded considerable commercial advantages to English merchants, and granted those very concessions in favour of religious liberty which Spain had refused to grant.[2] The only difficulty remaining was to secure the payment of the money. Month after month, however, passed without any attempt being made to satisfy the English demands on this score, and Peneguiaõ was compelled to prolong ineffectually his stay in England.

The wearisome delay was likely enough to have produced a nervous irritation on the members of the Portuguese embassy, which may to some extent account for an unfortunate occurrence which justifiably roused an angry feeling against them. The New Exchange on the south side of the Strand, and more especially the arcades in the upper story, fringed with rows of stalls for the sale of haberdashery and other articles of attire, was at that time much frequented in the evening as a fashionable lounge.[3]

[1] Bordeaux to Brienne, Dec. $\frac{12}{22}$, *R.O. Transcripts.* Bordeaux merely says that at this time the ambassador had agreed to pay the compensation required. The amount can be gathered from later information. The claim made on Guimaraes had been for 180,000*l.* Of this 115,000*l.* were taken off as being the value of prizes captured from the Portuguese. 15,000*l.* more were now remitted, the sum to be paid being 50,000*l.* Cardenas to Philip IV. Dec. $\frac{21}{31}$, 1652, *Simancas MSS.* 2,528. Writing on July $\frac{10}{20}$, 1654, Cardenas says (*ib.* 2,569) that the treaty had been agreed on fifteen months before, consequently the agreement must have been reached about April 1653.

[2] See p. 184.

[3] There, writes Pauluzzi, 'suole rittrovarsi molti Signori e Dame di condizione a passar l'ore noiose della notte.' Pauluzzi to Morosini, Nov. 25 / Dec. 5, *Letter Book, R.O.* For its position, see Mr. Wheatley's *London*

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Nov. 21. Scuffle in the New Exchange.

After nightfall on November 21, the ambassador's brother, Dom Pantaleon Sa, a youth of nineteen, was amusing himself on the promenade when he conceived himself to have been insulted by a Colonel Gerard, a young Royalist of some note. In the scuffle which followed Gerard as well as one of Dom Pantaleon's attendants was slightly wounded. The fiery young Portuguese cherished designs of vengeance, and on the following evening returned to the spot to wipe off the stain upon the honour of his station. As he entered the building with fifty armed companions, the frightened stall-keepers naturally put up their shutters, whilst the few English who were on the spot did their best to keep out of the way. Amongst those who were alarmed was a young man named Greenway, who had brought his sister and his affianced bride to make purchases with a view to the wedding which was to take place in two days. After conducting the ladies to a place of safety, he stepped out to learn the cause of the disturbance when he was shot through the head by one of Dom Pantaleon's attendants.[1]

Nov. 22. Murder of Greenway.

Arrest of Dom Pantaleon Sa.

The Portuguese company at once took refuge in the house of the ambassador. As soon as the news reached Cromwell, he directed Whalley to surround the embassy, and compelled Peneguiaõ to deliver up the culprits, including his own brother. Dom Pantaleon was committed to Newgate, and when, after a

Nov. 23. Committal to Newgate.

Past and Present, ii. 58, where it is stated that Messrs. Coutts' Bank occupies nearly the centre of the site.

[1] *State Trials*, v. 462; *The Weekly Intelligencer*, E, 721, 6; Pauluzzi to Morosini, $\frac{\text{Nov. 25}}{\text{Dec. 5}}$, *Letter Book*, *R.O.*; Bordeaux to Brienne, $\frac{\text{Nov. 26}}{\text{Dec. 6}}$, *R.O. Transcripts*. It is clear that the shot was not fired by Dom Pantaleon himself, not only from his own statement in *A Narrative of the late Accident*, E, 723, 14, but from the answer by Greenway's sister, Mrs. Clarke, *A Brief Reply*, E, 724, 9.

short interval, Oliver assumed the Protectorate, he was confronted with the question whether the prisoner was exempted from the operation of the law by any privileges attached to the dwelling of an ambassador. The question was put to a committee of civilian lawyers summoned for the purpose, and on their report[1] that no such privilege had ever been recognised in England, the Protector resolved that the law must take its course. Accordingly Dom Pantaleon together with four of his associates was tried on July 5 by a special commission, by which they were all five sentenced to death.

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1654 Question of privilege raised.

July 5. Dom Pantaleon sentenced to death.

At once the foreign embassies were astir, and even Cardenas, to whom Peneguiaõ's master was no more than the tyrant of Portugal, interceded warmly for one whose sentence was a blow aimed at the privileges of all ambassadors. In an interview accorded to Peneguiaõ himself, the Protector was so far melted by human pity as to allow words to drop from his mouth which the grief-stricken brother interpreted as a promise of pardon. Whatever these words may have been, Oliver did not leave the ambassador long under his mistake. Peneguiaõ scarcely reached his house when he was followed by a messenger who informed him that no pardon could be granted. On July 10 Dom Pantaleon was beheaded on Tower Hill, and an English servant who had taken part in the outrage was hanged at Tyburn. The three Portuguese who had been condemned at the same time were reprieved till the pleasure of Parliament was known, a delay which in their case was equivalent to a pardon. Whether it would have been so in the case of their master may reasonably

Intercession of the ambassadors.

July 10 Execution of Dom Pantaleon.

[1] A justification of the proceedings against the Portuguese, *Thurloe*, ii. 428.

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be doubted. The popular voice called loudly for justice on the stranger who was responsible for a deliberate murder, and there can be little doubt that the Protector's firmness gained the respect of many an Englishman who had hitherto stood aloof.[1]

Signature of the Portuguese treaty.

Rather than remain to be a witness of his brother's death, Peneguiaõ signed the long-delayed treaty on the morning of the execution, and then betook himself to Gravesend that he might there embark for his native country. The delay in the signature of the treaty had been caused partly by the fact that when Peneguiaõ recognised the Protectorate, he presented the treaty in an altered form,[2] but still more by his inability to lay down a penny of the 50,000*l.* which his master was expected to pay. It was comparatively easy to restore the treaty, except in one or two unimportant particulars, to its original shape—by rejecting, for instance, the insertion of words implying that toleration should be refused to Englishmen who gave scandal, thus practically leaving them, so far as the exercise of their religion was concerned, at the mercy of Portuguese officials. It

[1] Cardenas, who is the most explicit of the reporters of this scene, does not go beyond this. "Yendo el Conde à pedir la vida de su hermano y echandose a sus pies—todo en lagrimas—el protector le consolò con palabras que el interpretò significaban el perdon, y asì le pidiò las manos por él, y cuando saliò de la audiencia dijo à mucho numero de mercadores ingleses que commercian en Portugal y habian ydo à interceder por la vida de este caballero que ya no tenian necesidad de hacer aquella diligencia porque el protector se la habia concedido—pero poco despues que el Conde llegò à su casa tuvo aviso contrario." Cardenas to Philip IV., July $\frac{9}{19}$, *Simancas MSS.* 2,529. Strictly speaking, the Protector could not, according to the *Instrument of Government*, pardon for treason or murder; but, as is seen above, he could reprieve.

[2] Compare the remarks made on the alterations of the treaty on April 22 (*Thurloe*, ii. 248) with the treaty itself. Dumont, *Corps Diplomatique*, VI. part ii. 82

was a far harder problem to draw 50,000*l.* out of an impecunious king. The difficulty was at last solved by an agreement that a mixed commission of Portuguese and Englishmen should meet to determine the sum to be paid, and that half the duties paid by English merchants in Portugal should be kept in pledge till the whole of the amount awarded by the arbitrators had been covered.[1]

Nature of the treaty.

The treaty thus signed gave to English merchants the right of commercial intercourse with Portugal, coupled with the assurance that they would never be called on to pay duties higher than those which had been authorised on March 10 in the current year. It also freed them from the interference of the Inquisition in their ships and houses, and opened to them the trade of all the Portuguese territories beyond the sea :—Brazil, from which the last Dutch garrisons were in this year cleared away, St. Thomas in the West Indies, Guinea in Africa, and the dwindling remains of Portuguese sovereignty in the East Indies were specifically mentioned. The two points of religion and trade were precisely those which Oliver had attempted in vain to secure from Spain.[2]

[1] Cardenas to Philip IV., July $\frac{9}{19}$, *Simancas MSS.* 2,529. Pauluzzi, in his despatch of July $\frac{15}{25}$, attributes the signature by the ambassador, without waiting to hear whether the King of Portugal approved of the treaty—*i.e.* without the required alterations—to his expectation 'che la rissolutione potesse valere alla salvatione del fratello, onde può dirsi che da questa parte si sia usato sempre dell' arti e d' inganno delle buone parole per arrivare a questo fine.' Such a charge was certain to be made, but the dates refute it. Peneguiaõ knew that his brother was to die two days before the treaty was signed. His signature was probably affixed on the 10th, because he wished to leave London in the morning before the execution. If, as is extremely likely, he had instructions to agree to the original terms if no better could be had, there would be nothing to wonder at in the matter.

[2] Dumont, *Corps Diplomatique*, VI. part ii. 82.

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Oliver's foreign policy.

Taking all these treaties together, it might look as if Oliver were aspiring to the position occupied by Richelieu at the beginning of the century, and which for a brief moment was held by England in the days of the Triple Alliance in 1668, and for a longer period in the days of William III. and Anne. He would thus have taken up the leadership of the weaker States of Europe against the greater and more powerful irrespective of their religion. That he did not do so is not to be attributed to him as a fault. A great statesman does not create a foreign policy. It finds him out and tests his quality. Richelieu put himself at the head of the weaker powers because he needed them to overthrow the House of Austria; William III. because he needed them to overthrow Louis XIV. In Oliver's time there was no apparent danger from any one predominant power. If France and Spain did not weigh equally in the balance, neither of them decidedly kicked the beam. No other power—and England least of all—was much afraid of either. There was therefore no room for a policy directed against an overwhelming predominance. There was however room for a policy of aggression calculated on the weakness of one or the other of the leading States, and it remains to be seen how far Oliver could succeed in persuading himself or others that a war of aggression might be based on the highest motives.

CHAPTER XXXII.

GLENCAIRN'S RISING.

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Ireland and Scotland.

WHATEVER Oliver's course might be, it would be useless for him to embark on a stirring foreign policy unless he could secure at least the passive obedience of the whole of the British Isles. From Ireland, indeed, crushed down under the iron heel of a victorious soldiery, there was nothing to be feared; but Scotland, weakened though she had been by her reverses, found it hard to accept her destiny without yet another attempt to shake off the galling yoke of her conquerors. In the early summer of 1652, less than a year after the ruin of Scottish hopes at Worcester, the eyes of the depressed nobility and gentry were turned towards their exiled king. In the course of June, Charles, who was at that time hopefully watching the strife between the Commonwealth of England and the Republic of the United Provinces, received an intimation from a body of Royalists, comprising on the one hand several noblemen and on the other a certain number of Highland chieftains, that they were prepared to strike another blow for their king and country. On June 15, in response to this request, he appointed Middleton to the military command in Scotland with the title of lieutenant-general, instructing him on August 9 to betake himself to Holland, where he was to collect

1652

June

June 15 Middleton appointed to command in Scotland.

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Aug. 9. Instructions for Middleton.

money from Scottish and other Royalists in those parts in order that he might start for Scotland with some prospect of success. Middleton, however, fell ill soon after his arrival in Holland, and even if he had been in good health, the petty contributions which reached him in driblets would have been altogether insufficient to maintain a war.[1]

Oct. A fresh message from the Highlands.

In the meantime the Highland chiefs were growing impatient. In October a messenger who came from the most notable amongst them, Macdonald of Glengarry, was urging Charles to send commissions and some slight assistance and stores, so that the chieftains might be able to place their clans in the field without delay. On December 20, after much consideration, an instrument was drawn up appointing six of the leading personages to serve as commissioners for the King, and authorising them to select a commander-in-chief in Middleton's absence.[2] Yet as there was slight chance that Highland chiefs and Lowland nobles, impatient of control—especially impatient of control by a neighbour and rival—would combine in nominating a commander Charles contented himself with forwarding the commission to Middleton at the Hague, bidding him to keep it with him or send it to Scotland as he thought fit.[4] Middleton objected to this ill-concocted proposal;[1] and before long a message from the Earl of Glencairn offered what appeared a better alternative.

Dec. 20. Commissions sent to the chiefs.

1653 Glencairn's offer.

[1] Charles to the noblemen and gentlemen of Scotland, June $\frac{15}{25}$; Instructions to Middleton, Aug. $\frac{9}{19}$; Charles to Middleton, Nov. $\frac{6}{16}$; Firth's *Scotland and the Commonwealth*, 46, 50, 60.

[2] *Nicholas Papers*, i. 314; Commission to Macdonald of Sleat and others, Firth's *Scotland and the Commonwealth*, 65.

[3] Hyde to Nicholas, Nov. $\frac{12}{22}$, *Clar. St. P.* iii. 117.

[4] Hyde to Middleton, March $\frac{11}{21}$, Firth's *Scotland and the Commonwealth*, 103.

Glencairn, a Cunningham from the South, had been a member of the Hamiltonian party, and, as a supporter of the engagement for the rescue of Charles I., was in 1649 deprived of his earldom by Argyle and his followers. In 1651 he was one of the Royalists admitted to the reformed Committee of Estates, and he now announced his readiness again to do service to the King. In March 1653 Charles sent him a commission appointing him commander-in-chief till Middleton arrived, and at the same time suggested to him that if there was any likelihood that the Highlanders would voluntarily place him at their head, he need say nothing about his nomination, but hand over to them the earlier commission in which the right of election was conferred upon themselves.[1] So much diplomacy was hardly likely to result in efficient generalship.

March 4. Charles appoints Glencairn to the command in Middleton's absence.

In the Highlands the confederates were increasing in number. Young Seaforth, the son of the vacillating earl who had played fast and loose with Montrose, had joined the insurgents towards the end of May and laid hands on a party of English sailors who had landed in Lewis.[2] Early in June there were meetings held secretly at which those who appeared promised to take part in the coming enterprise.[3] On the 16th Lord Balcarres announced to Robert Lilburne—who had been left in command of the Parliamentary forces in Scotland—that as engagements made to him having been broken, he had retired 'somewhat further out of the way.' Two days later Sir Arthur Forbes renounced the benefit of his former

May 29. English sailors captured.

June. Meetings of the confederates.

[1] Instructions to Glencairn, March $\frac{4}{14}$, Firth's *Scotland and the Commonwealth*, 99.

[2] Summons to the Captain of the 'Fortune,' May 29; Lilburne to Cromwell, June 18, *ib.* 140, 147.

[3] *Ib.* 144, note 2.

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capitulation. In the cases of both hostility to the English Government was intensified by the fear of a sequestration of their estates.[1]

Effect of the confiscations.

This declaration of war—for such it virtually was[2]—received at least the tacit support of the other confederates. In Scotland, as in England, sweeping confiscations made the quarrel between the new government and the great landed proprietors irreconcilable. The only possible counter-weight lay in the efforts of the English authorities to win over the people to their side against the lords. Yet—even leaving out of consideration the natural abhorrence of an alien yoke—there were causes enough to render this solution hopeless. The assessment of 8,500*l.* a month[3] for the partial support of the army of occupation was a heavy burden on a poor country. Nor did the confiscations go in relief of public taxation. Part of them were employed for the expenses of building the fortresses at Inverness, Ayr, and in other places by which Scotland was to be held in a vice; part went in the form of estates conferred upon English officers. Land valued at 1,000*l.* a year was assigned to Lambert. Monk, together with three colonels secured a rental of 500*l.* apiece, whilst other commanders contented them with smaller but not inconsiderable estates. Against these sums is to be set 1,000*l.* voted by Parliament to be paid to the poor of Glasgow, whose houses had been destroyed by a recent fire.[4]

The assessment.

Employment of the confiscated estates.

The chasm which separated the English military

[1] Balcarres to Lilburne, June 16; Forbes to Lilburne, June 18, Firth's *Scotland and the Commonwealth*, 146, 147.

[2] "This was practically a declaration of war." *Ib.* Introduction, xlvi.

[3] The Valuation of Scotland, *ib.* 170.

[4] *Ib.* Introduction, xxxi. xxxii.

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Divisions in the Kirk.

government from the people of Scotland was widened by the growing hostility of the clergy. It is true that the Kirk no longer possessed the united force which had swayed the national destinies in the days of the Covenant. The nobility, her close ally in 1638, was slipping out of her hands, and her own ministers were divided into two bitterly antagonistic parties, each filling the air with recriminations against the other. For some time, indeed, the Government had hoped to gain the support of the Remonstrants, who had vigorously protested against trusting to an uncovenanted king. With this end commissioners appointed in February by Parliament to visit the Universities forced Patrick Gillespie upon the reluctant college of Glasgow as its principal.[1] Yet a government which allowed soldiers to dispute publicly with ministers in churches, and sheltered the few Independent and Anabaptist congregations which defied the sacred authority of the Presbytery, could hardly long retain the good-will of ministers to whom submission to the Presbyterian order was a matter of Divine obligation. Lilburne, indeed, who, like his brother, was of a sanguine nature, was able to hope that he would find support in 'the people in the West, who have been always accounted most precise.'[2] The knowledge that a movement was preparing in the Western Highlands had been gradually growing upon him during the spring and early summer and made him, much as he was inclined to minimise the danger,[3] shrink from the risk of leaving an organised opposition in the

The Government hopes to win over the Remonstrants.

Hopelessness of the attempt.

[1] *Baillie*, iii. 212.

[2] A letter from Lilburne, April 19, Firth's *Scotland and the Commonwealth*, 127.

[3] On Feb. 5 Lilburne writes slightingly of Glengarry's movements.

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rear if he should, after all, be called on to march into the North.

July 12. Lilburne fears the meeting of the General Assembly.

Even as late as July 12 Lilburne imagined that the confederates in the North would be unable to induce their dependents to rise, the people being 'more apt to be quiet than they are able to provoke new troubles.' Yet, hopeful as he was, the approaching meeting of the General Assembly, which was to take place on the 21st, filled him with anxiety 'in regard of the fickleness of the times and present designs that are amongst many.' Accordingly, he begged Cromwell to direct him what to do.[1] Cromwell, however, made no response, and Lilburne, having received intimation, true or false, that the assembled ministers were likely to open a correspondence with the Royalists in the Highlands, resolved to act on his own responsibility. On the morning of the 21st, after two sermons had been preached, before each of which the preachers offered a prayer for the King, Lieutenant-Colonel Cotterell, supported by Captain Hope, summoned the Assembly to disperse on the ground that it had no warrant to sit 'either from the Parliament of England or the

On April 16 he thinks that, in consequence of the English success at sea against the Dutch, 'at present we are in a very peaceable posture, and, I hope, our adversaries at their wits' end.' On June 18 he thinks that 'their chief design that I can learn' is 'to gain some reputation abroad that there is yet the face of an army in the Highlands, that young Charles by that means may gain some assistance.' Firth's *Scotland and the Commonwealth*, 79, 122, 147.

[1] *Ib.* 160.

[2] Lilburne's own account is clearly that of a man who was not acting under orders:—"Having some intimation that the present meeting of the ministers of the General Assembly at Edinburgh tended to a further correspondence with those met in the Highlands, I thought it my duty, for the prevention of anything that might be to the disturbance of the public peace, to dissolve their Assembly." Lilburne to Cromwell, July 21, *ib.* 162.

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Commander-in-chief in Scotland.' In vain the Moderator, David Dickson, appealed to the law of the land and to the 'power and warrant' which the Kirk had received from Jesus Christ. Cotterell did but call in his soldiers, and the ministers, guarded by horse and foot, were marched out to Bruntsfield Links and bidden to go home with all speed. It was only as a matter of favour that they were allowed to remain in Edinburgh till the next morning on condition that no more than three should remain in company.[1]

July 21. The Assembly dissolved.

In defiance of this order the Remonstrant party, whom the popular voice charged with having concerted the dissolution with Lilburne, drew up a protestation against his act of violence.[2] From this moment the weight of both the clerical factions would be thrown into the scale against the English Government. Baillie's complaint to a correspondent in London doubtless found an echo in the heart of many a Remonstrant: "Thus our General Assembly —the glory and strength of our Church upon earth —is by your soldiery crushed and trod under foot without the least provocation from us at this time either in word or deed. For this our hearts are sad, our eyes run down with water, we sigh to God against whom we have sinned, and wait for the help of His hand, but from those who oppressed us we deserved no evil."[3] Lilburne had no doubt of the rectitude of his course. It was only from fear of

July 22. Protest of the Remonstrants.

Both parties joined against the English.

[1] Compare with Lilburne's letter, *An Account of the late Violence*, E, 708, 23; *Life of Blair*, 307; *Baillie*, iii. 225.

[2] Lilburne to Cromwell, July 21, Firth's *Scotland and the Commonwealth*, 163; *Life of Blair*, 308, where a note by David Laing calls attention to the evidence on the part played by the Remonstrants, and criticises Baillie's innuendo that they were favourable to the dissolution.

[3] *Baillie*, iii. 225.

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popular indignation that he refrained from doing his work thoroughly and dissolving the local Presbyteries as well.[1] A man of his character, slow to suspect danger, is apt to plunge into intemperate action when at last aroused. Cromwell, as far as is known, made no sign of approbation or disapprobation. The nominated Parliament was by this time in session, and it is likely enough that any action against the Presbyterian clergy would be welcomed on its benches.

The breach between the English Government and the General Assembly could hardly in any case have been long averted. The Divine Right of Presbytery, in alliance with Scottish nationalism, must sooner or later have come into collision with the principles of individual religious liberty upheld by an alien soldiery. Yet it may be doubted whether the immediate danger was so great as Lilburne imagined. There was a gulf between the Presbyterian clergy and the Royalist gentry which would be hard to bridge over, and it would be difficult to convince a pious minister of either party that Middleton—rough soldier as he was—was exactly the man to be trusted with the championship of the Kirk.[2]

June? Glencairn chosen to the command.

By this time the insurrection in the North appeared even to Lilburne to be worthy of his attention. Either towards the end of June or early in July Glencairn appeared amongst the assembled chiefs, and produced the King's letter authorising them to elect a commander till Middleton arrived. He was himself promptly chosen, probably on a noti-

[1] Lilburne to Cromwell, Aug. 6, Firth's *Scotland and the Commonwealth*, 191, 192.

[2] "I fear you are not Presbyterian enough, for I do not find any of that tribe who are there have any confidence in you." Hyde to Middleton, March $\frac{19}{28}$, *ib.* 106.

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fication that the King wished it to be so.[1] On August 3, at a meeting held in Lochaber, the confederacy received a notable addition. Lord Lorne, revolting from his father who pronounced his curse on him for his disobedience,[2] rode in to offer his services to the King.[3] Kenmure, too, whose estates had been seized by the English Government,[4] came in about the same time. Balcarres and his brother-in-law, Sir Robert Moray, had already vowed themselves to the cause. Yet amongst these there was no preponderating personality to keep in check the private jealousies which had tasked Montrose's skill to the utmost. Glencairn, though personally brave, had no other claim to the commanding position in which he had been placed by the favour of the King, and the Highlanders were even less likely than the Lowland nobles to look up to him as a predestined leader.

Aug. 3. Arrival of Lorne and of Kenmure.

For some months, however, the danger of internal dissension inherent in the composition of this motley host was averted by the resolution taken to avoid active hostilities till Middleton arrived. Middleton, it was fondly hoped, would bring with him large stores of arms and ammunition, of which the Royalists were sadly in need—perhaps even the active co-operation of a Dutch fleet. In the meantime it would be enough if they could transfer to their own military chest the cess which Lilburne claimed to levy in the Highlands, make forays in the Lowlands with the object of collecting horses on which to mount their men, and exact money from friend or foe. During the remainder of the year a few skir-

The confederates resolve not to risk a battle till Middleton's arrival.

[1] Letter of Intelligence, Firth's *Scotland and the Commonwealth*, 183.

[2] Lorne left his father on July 17, *ib.* 165–169.

[3] Lilburne to Cromwell, Aug. 11, *ib.* 191. Baillie (iii. 250) says that Lorne was 'but coarsely used by his father.'

[4] *Ib.*

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mishes only were reported, in which the English veterans invariably gained the advantage on open ground, but were no less invariably driven to retreat when they ventured to advance into the hills. This mode of action had the additional advantage for the Royalists that it enabled them to divide their forces, and for the most part to keep personages who might otherwise have come to blows at a distance from one another.

Lilburne's position.

Nor was Lilburne, on the other side, in a condition to precipitate matters even if he had been by nature capable of hardy resolutions. His conviction that being without a fleet to search the sea-lochs of the rugged western coast, and to cut off communication with the Dutch fleets on the eastern, it was impossible for him to subdue the enemy's forces, ministered to his inaction. In August indeed Colonel Cobbet, who was despatched with three vessels for the purpose, succeeded in reducing Lewis, and in occupying Eilandonan in Ross-shire and Duart Castle in the Isle of Mull. Cobbet's force, however, was but small, and later in the year his three vessels were wrecked, and he and his men were compelled to return by land to their quarters.[1]

Cobbet's success in the West.

Forces at Lilburne's command

On land Lilburne felt himself unequal to any considerable movement. In all Scotland he had about 12,000 foot and but 2,200 horse.[2] These forces indeed compared favourably even in point of numbers with those which the Scottish Government had from time to time launched against Montrose, and were incomparably superior in every military quality. The Scottish Government, however, had had behind it

[1] Cobbet's progress can be traced in *Scotland and the Commonwealth.*

[2] *Ib.* Introd. p. xxxiii.

the population of the Lowlands, whilst Lilburne was well aware that there, as well as in the Highlands, his enemies were many and his supporters few. He therefore contented himself with placing small garrisons at the mouths of the glens opening into the Highlands, a policy which would surely have led to disaster if Montrose and not Glencairn had been in command of the enemy. The constant burden of his letters to England was the necessity of sending ships and horse. As long, however, as the nominated Parliament was in existence and the war with the Dutch continued, scarcely any notice was taken of his cry for help.

Kenmure and Lorne in the Campbell country.

The war, therefore—if war it can be called—resolved itself into a vain effort to parry the movements of an enemy determined to avoid an engagement. Within a week after the meeting in Lochaber, Kenmure had made a dash into Fife, almost up to the gates of Burntisland.[1] Then, accompanied by Lorne, he betook himself to the land of the Campbells to test the loyalty of the clansmen now that the son was at odds with his father. Argyle himself had a difficult part to play. No one could expect him to throw himself heart and soul into the cause of the alien government, and Sir Robert Moray, writing some months earlier, had assured Charles that nothing but prudence kept him from rallying to the King.[2] Whether it was prudence or conviction that held him back, he loyally carried out his engagements to Lilburne. He did not indeed offer armed support—

Argyle's position.

[1] Nicholl's *Diary*, 112.

[2] "All I shall say of my Lord Argyle [is] that . . . the course he takes is merely for self-preservation. . . . He thinks things are not yet ripe enough to appear here in arms, alleging that it will come to nothing but the ruin of the Lowlands, and the Highlands are to be destroyed by sea." *Scotland and the Commonwealth*, 134.

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the prevalent temper of the Campbells rendered it impracticable—but he furnished the information which enabled Cobbet to seize Duart Castle, and later on he provided the escort which conducted Cobbet's shipwrecked soldiers through a hostile country.[1] When, therefore, Lorne broke into Argyleshire, he was far from being able to carry with him the whole strength of the Campbells. Yet considerable numbers came forward to support him with men and money. His failure was owing not so much to external resistance, as to internal disputes between the leaders of the expedition. When Kintyre was reached, Kenmure was resolute to deal harshly with a body of settlers from Ayrshire and Renfrew, who were steadfast in their loyalty to Argyle and consequently to the English Government. Lorne refused to allow him to inflict punishment on his father's tenants, and a bitter quarrel was the result.[2] At an earlier stage of the expedition Lorne had fallen in with Glengarry, who, as a Macdonald, regarded the heir of the Campbells as an hereditary foe. As might have been expected, they 'fell out, and drew each upon the other,' but 'were prevented of fighting by some there present; however they parted great enemies.'[3] There was bad blood, too, between Balcarres and Glencairn, the former having even proposed that the command of the army should be transferred to a committee, a proposal which Glencairn was only able to set aside by producing the warrant in which the King had directly given him

Lorne in Argyle.

He quarrels with Kenmure,

Sept. and with Glengarry.

[1] Lilburne to Cromwell, Sept. 13, *Scotland and the Commonwealth*, 221; Campbell of Auchenbreck sided with Lorne, Campbell of Glenorchy with Argyle.

[2] Lilburne to Cromwell, Oct. 16, *ib.* 242; *Baillie*, iii. 250.

[3] Letter of Intelligence, Firth's *Scotland and the Commonwealth*, 220.

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the post.[1] In the absence of Lorne and Kenmure in the west, Glencairn swooped down on Falkland, whence he carried off an officer and four or five soldiers, who only recovered their liberty on Lilburne's consenting to pay 80*l.* for their release.

Glencairn at Falkland.

Lilburne indeed had much to complain of. Many of his officers had taken advantage of quiet times to betake themselves to England. Not a single cavalry regiment had a colonel at his post, and only one had even a major.[2] What made matters worse was, that Lilburne had well-nigh the whole of Scotland against him. "Glencairn and Glengarry," he wrote on November 5, "are also busy up and down, and many small parties fall down into the Lowlands in the night-time and steal horses: indeed, the people do many of them voluntarily give them, and will not give us any intelligence of them."[3] A few days later he heard that Kenmure had returned from Argyleshire. "There are parties of horse and foot," he wrote, "fall down every night in one place or other and steal horses, and cannot be prevented. The country is so false to us and complies so with them that though at present there is not so visible an enemy that speaks much danger, yet their daily actions and growing strength may—together with what ill-spirit is generally found in the ministers and people, who doubtless are ready to rise if any visible strength appear—give reason to believe they have some notable design in hand." Yet what could he do? His cavalry were few in number, and it often happened that he could not

Oct. State of the army.

Nov. The people of Scotland hostile to the English.

[1] Instructions to Drummond, Oct. 23, Firth's *Scotland and the Commonwealth*, 246; *Baillie*, iii. 250.

[2] Lilburne to Cromwell, Oct. 6; *ib.* 240.

[3] Lilburne to Cromwell, Nov. 5, *ib.* 262.

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find a field officer to give him counsel. If Lilburne could hope to find friends in Scotland, it was amongst the Remonstrants of the west, yet he now learnt that the Presbytery of Hamilton had discussed the question whether Kenmure or the English were the greater enemies of the Kirk, and had decided that Kenmure was the less formidable of the two.[1]

Danger in the Lowlands.

By the middle of November the danger had spread to parts of the Lowlands far away from the hills. On the 15th Lilburne informed Cromwell that Falkland had again been set upon in the night, and two officers carried off; that two soldiers had been seized at Kilsyth, and that houses, one of them being that of Johnston of Warriston, had been plundered in the immediate neighbourhood of Edinburgh.[2] "Hardly any part of the country," he declared, "is free from the night-walkers who continue preying on gentlemen's horses, and by their secret ways convey them to the hills where they have riders in readiness, and beside many younger brothers and desperate persons that privately steal to them, well-mounted, and fitted for service; but yet all these signify but little in comparison of those secret contrivements and encouragements the generality of the people affords them, and are bringing forth to ripeness, if their dark and wicked designs may take effect. . . . . I have been advising—for the better preventing this inundation—to seize the horses in countrymen's hands, but find these people so ticklish to deal withal at this time—out of that strange expectation they have of a change—and so ready to take the wing, that it's feared we shall not

[1] Lilburne to Cromwell, Nov. 12, *Scotland and the Commonwealth*, 264.

[2] *Ib.* 270.

only lose the horses, but drive many to the hills who seem to be peaceable, rather than part with them to us, and without we could seize all together, which is impossible, it is doubted we shall do more hurt than good."[1]

Nov.–Dec. Disturbed condition of the south.

Before the end of November the very gates of Edinburgh had to be shut at nightfall lest insurgent parties should slip into the town.[2] In December the disorders had spread even further south. Parties of armed men were roving over Dumfriesshire and Galloway, and horses were seized within four miles of Berwick. An exploit which testified to the unpopularity of the government in England as well as in Scotland was recorded by Lilburne without any sign of astonishment. Captain Wogan, who had carried his troop with him when in 1648 he deserted the Parliamentary service to join Hamilton's invading forces, and had in 1649 held bravely out in Ireland as governor of Duncannon,[3] now started from Paris with a few chosen companions to make his way through England to the scene of action. In London they all disguised themselves in the uniform of Cromwell's cavalry,[4] and then, having increased the number of his companions, set out for Scotland, avoiding the high roads, enlisting men on the route, and making their way by twos and threes together.[5] When they reached the north they appear to have been less careful. Wogan, when he passed through Durham, had some twenty-two companions with him. On the 8th he reached

Wogan's march.

Dec. 3

Dec. 8.

[1] Lilburne to Cromwell, Nov.?, Firth's *Scotland and the Commonwealth*, 272.

[2] Nicholl's *Diary*, 116.

[3] *Clarke Papers*, i. App. A.

[4] So much, I suppose, one may take from *Clarendon* (xiv. 61), though his account is grossly inaccurate.

[5] News from London, Dec. 9, *Clarendon MSS.* ii. No. 1,581.

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Peebles with the same number.[1] He seems to have gathered strength as he passed through the Lowlands, as he ultimately presented little short of a hundred followers to Glencairn.[2]

Lilburne not a resourceful commander.

Difficult as the situation was, it is impossible to avoid the conclusion that Lilburne was far from being a resourceful commander. Sanguine in the spring, he was in despair in the winter. His counsels as a statesman were, however, far more worthy of attention than his military schemes—if indeed he can be said to have formed any. He did not indeed, and in fact he could not, propose any plan for removing the main difficulty with which the Commonwealth would have permanently to contend—the rooted hostility of the Scottish people—but he had much that was valuable to suggest as to the best mode of dealing with the discontented nobility and gentry. Knowing well how much material causes had contributed to drive them into the arms of the insurgents, he advised that with the exception of 'five or six grand offenders for example's sake,' all sequestrations and forfeitures should be taken off, and that the Act of Union so long discussed should be finally passed, accompanied by an Act of Oblivion, and a free pardon to all in arms if they would agree to keep quiet. These generous proposals are marred, in the eyes of later generations, by a suggestion that

His political advice.

[1] On Dec. 3 Wogan writes from Durham under the assumed name of Thomas Young, *Thurloe*, i. 623; compare a letter to Lilburne, Dec. 12, Firth's *Scotland and the Commonwealth*, 296. "You may remember they were represented a full troop at least, and that they took hundreds on their way, which no man, I believe, would think possible to be acted by twenty-two men, for they were no more when they entered this country." Mews to Hyde, June 4, 1654, Firth's *Scotland and the Protectorate*.

[2] Account of Glencairn's expedition appended to Gwynn's *Memoirs*, 166.

rewards should be offered to those who would 'bring in any of the present rebels dead or alive.' At the same time, in order to avoid danger from the large numbers of persons without means of subsistence, Lilburne advanced the concession of licenses to levy regiments for foreign princes in amity with the Commonwealth to such Scotsmen as made application for them. Further, he would have a check placed on the rigour with which the new Courts of Justice issued processes for the recovery of debts—amounting it is said at one time to 35,000—by granting time to those who had it not in their power to satisfy their creditors at once.[1]

Men and ships needed.

To these wise recommendations was added the inevitable demand for reinforcements and for ship of war to guard against Middleton's landing.[2] If reinforcements were not sent, Lilburne wrote to Lambert before the end of the year, it would be necessary for him to concentrate his troops in the south of Scotland, giving 'the enemy all beyond Dundee, except Inverness.' Needless to say, the abdication of the nominated Parliament was regarded by the army in Scotland with the highest satisfaction. At last there was a probability that adequate supplies would be despatched, and that dispositions would be taken to ward off the impending danger. "I thought it my duty," wrote Lilburne to Cromwell when the good news arrived, "to let your lordship know that, by all the observation I can make, I find nothing but union amongst us here, and a resolution to stand by your lordship in the management of those weighty affairs that Providence hath cast upon you." He had wondered, he added, that his earnest pleadings for

Dec. 20. Reception of the Protectorate by the army in Scotland.

Lilburne's troubles.

[1] Lilburne to Cromwell, Dec.?; Lilburne's proposals, Dec.?; Firth's *Scotland and the Commonwealth*, 289, 295. [2] *Ib.*

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supplies had hitherto received no answer, but he now imputed the neglect 'to the late inconsistency in the Parliament.' The troops, he wrote a few days later, were two months in arrear, and the cess on which they partly relied could not be collected in the disturbed condition of the country.[1] Nor was Lilburne unconscious of his own deficiencies; "being jealous of my own weakness," he assured the Protector, "I am doubtful so great affairs as are here to be managed may suffer for the want of one more fit to wrestle with them than your Excellency's most humble servant." "I hear," he candidly assured Lambert, "that a commander-in-chief is to be sent down hither, I only wish such a one as may pay these people for their knavery. Methinks Monk's spirit would do well amongst them."[2] There was no touch of jealousy in that noble heart.

Wishes to be superseded by Monk.

1654 Jan. Monk to come when he can be spared.

Yet, as Lilburne knew well, there was no hope of Monk's presence in Scotland, or of any decline in the energy of his adversaries, until a peace with the Dutch had put an end to their hopes of succour from abroad.[3] A few weeks later Lilburne knew that the Protector had taken his advice, and that Monk, as soon as he could be spared, would be sent down to take the command.[4] Yet how could he be spared as long as a hostile Dutch fleet might at any moment put to sea?

Others besides the soldiers of the Commonwealth had been watching with interest the progress of the

[1] Lilburne to the Protector, Dec. 20; Lilburne to [Lambert], Dec. 29, Firth's *Scotland and the Commonwealth*, 301, 306. [2] *Ib.*

[3] "I hope a happy conclusion with the Dutch will put an end to these unhappy people's distempers, and things may come to a settlement again." Lilburne to the Protector, Dec. 20. *ib.* i. 302.

[4] Lilburne to Monk, Jan. 21, Firth's *Scotland and the Protectorate.*

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negotiation. For some months Middleton had been tarrying in Holland, hoping, almost against hope, that some monstrous demand on the English side would sting the States General into a determination to prolong the war, and to turn failure into success by sending shipping and warlike stores to the Royalists of the north of Scotland. When Charles instructed him on January 27 to wait no longer, he took this step partly because there was little prospect of Dutch aid, but still more because the noblemen and Highland chiefs were quarrelling with one another, and it was thought that they would bow their heads in submission to a professional soldier.[1]

Middleton in Holland.

Jan. 27. Middleton's instructions.

Middleton accordingly landed with a very deficient stock of supplies on Tarbatness before the end of February.[2] At his first rendezvous he was surrounded by 'two or three thousand, of which there were 500 serviceable horse.' At a subsequent meeting at Dornoch he opened his commission to command in chief. To this Glencairn, who had hitherto held that post, raised no objection, but it was otherwise when he learnt that Sir George Monro, whose services in Scotland and Ireland had not been such as to inspire confidence, was to be second in command. An excuse for a quarrel was not likely to be long absent. At a dinner given by Glencairn to Middleton and his officers, Glencairn boasted of his gallant army which, as he averred, he had raised out of nothing. "By God," cried Monro, starting from his seat with the jealousy of a professional soldier, "the men you speak of are no other than a pack of thieves and robbers. In a short time, I will show you other sort of

Feb. Middleton lands on Tarbatness.

March. Quarrel between Glencairn and Monro.

[1] Instructions for Middleton, Firth's *Scotland and the Protectorate.*

[2] Nicholl's *Diary*, 122.

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men." Glencairn replied that his interrupter was 'a base liar,' after which Middleton did his best to reconcile the angry pair, and Glencairn, submissive in outward show, drank Monro's health, and accompanied Middleton a mile on his return home. The inevitable duel was introduced with all the stately politeness of a court. As the Earl was going to supper Sir George's brother appeared at the gate, when Glencairn asked him in and placed him at the head of the table next the daughter of the laird in whose house he had taken up his quarters. "Immediately after supper he told Monro that he would give him a spring if he could dance, which accordingly he did, the laird's daughter playing." Then, seizing a moment after the rest of the company had joined the dance, the two stepped aside, and in a dozen words arranged the time and place of meeting. When the disputants met the next morning, the Earl slashed Monro over the left hand and forehead, and but for the intervention of his own servant would have thrust his sword through his adversary's body.[1] A fortnight afterwards Glencairn left the camp in dudgeon with Middleton himself.

Further disputes.

Such were the materials with which Middleton was expected to reconquer Scotland. The fiery spirits were loyal enough to their king, but they could not discipline themselves to forbear from personal attacks on one another. Not long before it had been Lorne and Glengarry, then it was Kenmure and Lorne,[2] now it was Glencairn and Monro. Not long afterwards Sutherland was complaining of Middleton himself, whilst Athol and Glengarry all but

[1] Peter Mews's Narrative, June 4, Firth's *Scotland and the Protectorate*; Gwynn's *Military Memoirs*.

[2] See p. 400.

came to blows.[1] It had been part of Middleton's message to the chiefs that, if matters went well, Charles would follow to place himself at the head of the insurrection, but unless discipline could be restored, it was hardly likely that he would venture his person again in Scotland. Unluckily for the Royalist cause Middleton had none of that personal glamour which bowed all turbulent hearts in submission to Montrose.

Middleton and the clergy.

Great as were the difficulties arising from the impossibility of taming the wild spirits of his nominal subordinates, there was looming in the future another scarcely less formidable. No Royalist movement would really be crowned with success unless it could win the Lowlands, and Montrose's failure had shown how hard it was to control the Lowlands without standing well with the clergy. Neither Middleton nor the noblemen who surrounded him were prepared to do more than flatter them. "It is strange," wrote an Englishman who accompanied the expedition, "to see how the rebels, by their favouring the people, had crept into their affections, they not being able to see to the bottom of the design. But I labour in all discourses to make them sensible of it, and press the ministers to instil the reasons of that smoothness from the pulpit, from whence it makes the greater impression; and doubt not but I[2] shall prevail with some of them to set it on with all possible vehemency, which if they can once fancy they will need no spurs, for they are naturally good at that kind of oratory. . . . But, for your comfort, Mr. Presbyter is never like to put his oar in our boat; at least, not to sit at the helm as formerly he hath done; yet you must not expect

[1] Lilburne to the Protector, April 11, April 20, Firth's *Scotland and the Protectorate.*

[2] 'I' is omitted in the *MS.*

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that we should absolutely cashier him at the first dash."[1] The eyes of 'Mr. Presbyter' were too widely open to be cajoled in such a fashion.

April 22. Monk at Dalkeith.

At last the weary Dutch war was ended, and on April 22 Monk arrived at Dalkeith to take in hand the military and civil government of Scotland. He at once recognised, as Lilburne had already recognised, that he had no mere insurrection of Highlanders to face, but an uprising extending sporadically over the Lowlands as well, wherever the English troops were not present to repress an actual outbreak. When he reached Dalkeith there was no more than 500*l.* in the treasury, and the soldiers' pay was sadly in arrear.

Demand for money, men, and ships.

By June 25, as he wrote, 33,000*l.* would be needed to make up this deficiency alone. If he was to answer for the consequences, money, men, and ships must be hastened up from England.[2] If Monk succeeded where Lilburne had failed, it was in part, at least, because his authoritative demands were attended to at Whitehall—slowly, indeed, as financial straits compelled, but still with something approaching regularity—whilst Lilburne's complaints had been ignored.

April 1. Lilburne's gloomy account of the situation.

Yet, with all these advantages, Monk had no light work before him. "Hardly a younger brother," Lilburne had written in one of his last despatches, "but he's gone, and even from under the noses of our garrisons and quarters, do what we can to prevent them unless we should take all prisoners and then not know what to do with such a multitude. I hear they still break into Northumberland and steal horses, but some tell me the people there are confederates. I am doubtful the flame here may be far beyond what may be yet imagined by your Highness,

[1] Peter Mews's Narrative, Firth's *Scotland and the Protectorate.*

[2] Monk to the Protector, April 22, 25; Monk to Lambert, April 22, *ib.*

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or, indeed, by many that are here: the works of darkness are hard to be discerned. . . . Therefore, that it may not be at my door that a timely provision is not made even for the worst of evils that may arise here, I do in conscience and faithfulness declare my thoughts, and earnestly beg that though those in rebellion or that may join at this time may not prove so numerous or so dangerous as my apprehensions speak, yet considering the bloodiness, rebelliousness, and wretchedness of the spirits of the generality of this monstrous people who have not been sparing to shed the blood of many of their kings and rulers,[1] and upon private quarrels and feuds to murder one another, and who have, by the help of the hills, to draw together in, become formidable, and then massacred and expelled the English armies several times, the memory of which is no little encouragement to these rebels." [There is every reason to fear the worst.][2]

Monk's clear-sightedness.

If Monk was secure of better financial support than had been given to Lilburne, he had also resources of his own in his keener sense of the practical means needed to subdue resistance. It was useless indeed, as he well knew, to appeal to that spirit of patriotism which was heavily enlisted against him; but he could at least show that civil order and individual well-being would find better security under his government than under any that was likely to be set up by the gay gallants of the north. On May 4, when he entered Edinburgh, after a great banquet given him by the town, he caused two pro-

May 4. Proclamation of the Protectorate and of the Union

[1] It cannot have entered into the mind of the writer of this phrase addressed to Cromwell that Charles I. had been put to death otherwise than after a fair trial.

[2] Lilburne to the Protector, April 1, Firth's *Scotland and the Protectorate*. The final clause having no principal verb it has been supplied by conjecture.

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clamations to be read at the Market Cross in his own presence: the first announcing the establishment of the Protectorate; the second, that according to an ordinance of the new ruler Scotland was now to form an integral part of the Commonwealth of England, Scotland, and Ireland, and that the authority of her ancient kings and her ancient parliaments having been abolished she was henceforth to send thirty members to sit in the Parliament at Westminster. Then followed a list of the boons which the larger and wealthier offered to the smaller and poorer nation. There was to be absolute freedom of trade on the borders; no taxes were to be raised in Scotland which were not proportionable to those on the English side; all tenures implying vassalage and servitude were to be swept away; fines and other payments by tenants to be moderated and controlled by the State. Military services and heritable jurisdictions with all fees and casualties appertaining to the lords were abolished, whilst popular courts baron were set up in each locality, to be composed of the suitors of the manor court, with power to determine by the verdict of a jury all pleas arising out of contracts, debts, promises, and trespasses, where the amount sued for did not exceed the value of forty shillings.[1] To celebrate the munificence of the concession there was a great display of fireworks from the Market Cross.

May 5. Proclamation of pardon and of grace.

The next day was reserved for the display of the sword which in the ordinance then proclaimed was suspended over the heads of the recalcitrant nobility. Pardon and grace in respect of all acts of hostility in time of war were indeed granted in general to the whole people of Scotland, but afterwards the names of twenty-four persons followed—all with three excep-

[1] *Scobell*, ii. 293, 295.

tions lords of Parliament or their heirs—whose estates, saving a provision to their wives and children, were wholly forfeited to the Commonwealth. On seventy-three persons fines varying from 14,000*l.* to 500*l.* were imposed. All persons who had taken arms against the Commonwealth since May 1, 1652, were excepted from the benefits of the ordinances,[1] whilst those who had connived at the rebellion of their brothers or wards and did not secure their surrender within twenty days were to be thrown into prison, and a fine imposed on every presbytery from which rebels had gone forth, as well as upon every parent whose son had taken part with the insurgents. A price of 200*l.* was set on the heads of Middleton, Seaforth, Kenmure and Dalziel.[2]

Import of the proclamations.

Taking the two ordinances together the policy of the English Government was much the same as that which the French revolutionists were afterwards to display in more extravagant form upon their banners—War to the lordly house, Peace to the cottage! If it were possible for any Scotsman to pass over the indignity of receiving grace and pardon from an alien government, there were two classes of persons to whom Monk might look for support: the traders who would have much to gain by the prospects opened to them by the suppression of the custom houses at Berwick and Carlisle, and the lawyers who favoured the extension of equal justice, and were hostile to the extreme claims lately put forward by the clergy. Of the towns, Monk was able to write after he had time to gain personal experience of their feelings, that they were 'generally the most faithful to us of any people in this nation.'[3]

Feelings of the traders and lawyers.

[1] Nicoll's *Diary*, 125; *Scobell*, ii. 288. [2] *Thurloe*, ii. 261.

[3] Monk to the Protector, Oct. 3, Firth's *Scotland and the Protectorate.*

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For the lawyers, we have the note of a patriotic diarist upon the death of Sir John Hope of Craighall, who had acted as one of the Parliamentary judges, that he held 'that few of the ministers of Scotland were honest, and that they, by bewraying the Scriptures, had raised errors; giving out also that God had a great work to work by the English.'[1]

Flocking of younger sons to Middleton.

Till Monk was ready to take the field, and as yet, in consequence of the dryness of the spring, there was no grass for his horses in the north, he applied himself to throwing obstacles in the way of the flocking of gentry to Middleton from the Lowlands. As a rule these men were younger sons who had nothing to lose, whilst their fathers and eldest brothers remained at home to avoid forfeiture of their estates. Monk had already suggested the imprisonment of fathers whose sons had taken the field,[2] but Oliver was loth to encourage a policy so violent, and measures of military watchfulness had to take its place. Monk's next thought was to draw a virtually impassable line between Highlands and Lowlands which no body of horse from the Lowlands could overstep. Warned by the fate of Montrose, Middleton aimed at strengthening his cavalry, hoping to appear at the head of a body of horse composed of Lowlanders collected in the Highlands, and not to be compelled to bring down upon the Lowlands a force mainly composed of Highland clansmen.

Middleton's plan.

Monk's officers: Daniel, Hill, and Morgan.

For the campaign now opening Monk could count on the services of a highly intelligent staff of officers. Daniel commanded the garrison of Perth; Hill was established at Ruthven in the heart of the wild

[1] Nicoll's *Diary*, 124.

[2] Monk to the Protector, April 22, Firth's *Scotland and the Protectorate*.

country of Badenoch; and, above all, the active and skilful Colonel Morgan, before whom Chepstow, Monmouth, and Hereford had fallen in the latter days of the first civil war,[1] was on the alert in the wide districts stretching to the hills from the southern shore of the Moray Firth. It was Monk's own task to seal up the accesses to the Highlands from the southern Lowlands, thereby hindering Middleton from receiving the accretions in men and horses upon which his calculations of success depended.

May 10. Monk breaks up Middleton's communications with Lowlands.

With this object in view Monk left Dalkeith on May 10, making for Stirling. Before going north, however, he turned towards Cardross Castle, there to rest till the springing of the young grass in the hills afforded pasturage to his horse. As soon as he could move he made his way by Kilsyth to Buchanan, where he superintended the destruction of the boats which had conveyed passengers and horses to the northern glens. As he established a strong party of horse at Glasgow, and as Dumbarton was occupied by an English garrison, Monk was able to assure himself before his return eastwards that this part of the Highland frontier was secured, especially as Argyle was now heartily co-operating with the English Government. With a view to further operations, Monk established Colonel Brayne at Dunstaffnage with a detachment from Fleetwood's army in Ireland.[2]

June 9. Monk on the Tay.

Having thus secured the line of the Forth Monk proceeded to secure the line of the Tay. Marching from Perth on June 9, with a force mainly composed of horse, he reduced a small garrison on the Priory

[1] *Great Civil War*, ii. 376; iii. 21.

[2] J. Baynes to A. Baynes, May 11, *Letters from Roundhead Officers*, 69; Monk to the Protector, May 21 28, 30, Firth's *Scotland and the Protectorate*.

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hill, near the foot of Loch Tay, leaving a few men in occupation of it, as well as of Weem Castle and Balloch.[1] After burning Garth Castle he made northwards for Strathspey, where he established himself at Ruthven Castle on the look-out for news.

June 20. Monk leaves Ruthven Castle.

The news of which Monk was in search was not long in reaching him. Hearing that Middleton was in Kintail, he marched to the foot of Loch Lochy, where, after full consultation with Argyle and Brayne, he formed the plan of action to which he subsequently adhered. Establishing Brayne with a strong force at Inverlochy, he himself plunged into the northern Highlands, resolved, as an apt pupil in the cruel school of Irish war, if—as might probably be the case—he failed to overtake the enemy, to make the country incapable of sustaining cavalry by burning and destroying every habitation of man, and every crop by which life might be supported. Beginning with the lands of the Camerons of Lochiel, he marched up Glenmoriston, raising fire in the homesteads of the Macdonalds of Glengarry. The work of destruction went on as he passed to Loch Alsh, through the country of Seaforth's Mackenzies.[2] "We have not found," writes a cornet who took part in the expedition, "man, woman, or child at their homes, all being in arms or in remote places with their cattle. At their return they will have new houses to build and corn to seek, which will be a means to quiet them or nothing."[3] Middleton had ferried his footmen over to Skye, and his horse was not to be overtaken, but Morgan was despatched to

[1] On the site of the present Taymouth Castle.

[2] Monk to Lambert, June 25, Monk's Narrative, Firth's *Scotland and the Protectorate*; Letter from Glenmoriston, June 25, *Merc. Pol.* E, 805, 5.

[3] Cornet Baynes to A. Baynes, June 29, *Letters from Roundhead Officers*, 78.

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Caithness, to take care that no provisions should be found there when the winter came. Monk himself, with his wearied troops, made his way to seek repose at Inverness.[1]

July. Middleton at Blair Athol,

News that Middleton had doubled back upon Blair Athol induced Monk to recall Morgan, and to send him to Braemar to catch the enemy if he retreated in that direction. For the present, however, there seemed little hope that Middleton would fall into the trap. By the middle of July he had flung himself into the Campbell country, marching along Loch Tay to Loch Awe, he too burning the lands of his foemen as he passed. Monk followed hard on his heels,[2] but though he compelled Middleton to double back by way of Loch Rannoch with his horse reduced from 3,000 to 1,200, he was himself too exhausted by forced marches to do more than call a halt at Killin on the 19th, and to pursue his way into Glen Lyon on the following day. The news he received there was such as to convince him that no further pursuit was necessary.[3]

and in the Campbell country.

July 20. Monk hears news in Glen Lyon.

Even before this intelligence reached him Monk must have known that there was no need of haste. There was but one route by which Middleton could

[1] Monk's Narrative, Firth's *Scotland and the Protectorate.*

[2] In a paper published in the *Highland Monthly* for May 1892, Mr. W. Mackay inserts a map of Monk's marches, which I have made the basis of my own map, though I have tested it throughout by the authorities. In Monk's *Narrative* (p. 90) it is said that he marched on 'the 14th from Glendowart (Glen Dochart) to Glen Lochee, about sixteen miles.' The latter glen cannot be, as Mr. Mackay holds, Glen Lochay, because Monk tells us that in the evening some men were seen marching to Glen Strae, which was quite invisible from any part of Glen Lochay. It must have been near Loch Awe.

[3] *Ib.* Monk was on the 19th at Kinnell, close to Killin. Clarke to Errington, *Thurloe*, ii. 475.

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reach the far north from Loch Rannoch, the route by the pass which connects the upper reaches of the Garry and the Spey, through which the Highland Railway at present runs. Either by his own intuition, or more likely by Monk's orders, Morgan had abandoned his eccentric march to Braemar, and posted himself at Ruthven on the Spey. Informed of Middleton's approach, Morgan crossed the watershed on July 19, and, posting himself at Dalnaspidal, where the stream brings down the waters of Loch Garry on the southern side of the pass,[1] made preparations to pass the night on a tolerably level piece of ground which had been used for generations as a camping-place by troops on the march. Before his men had alighted they perceived Middleton's forces on their way from Loch Rannoch approaching along the western side of the loch with the same object in view.[2] As Middleton debouched from the defile, with 800 horse and a larger number of unmounted men toiling after them at some distance, Morgan ordered his comparatively fresh cavalry to charge, and Middleton, recognising the hopelessness of the situation, gave directions to his worn followers to face round and retreat. An English party which had been in the van were thus

July 19 The fight at Dalnaspidal.

[1] "Since my last, the general resolved [on] easy motions after our hard marches, and to drive Middleton's almost hard forces on Colonel Morgan, who was fresh in Ruthven." Clarke to Errington, July 21, *Thurloe*, ii. 483. This disposes of the view that the two forces met in a casual encounter.

[2] Mr. J. T. Clark, the Librarian of the Advocates' Library, who knows the country well, tells me that the way over the hills from Loch Rannoch is passable in summer. Gwynn's Narrative (*Memorials*, 183) agrees with Morgan's despatch of July 22 (*Merc. Pol.* E, 806, 13) in placing the fight at the north end of Loch Garry, near which was the usual camping-ground for troops going in either direction over the pass now crossed by the Highland Railway.

Edwd Weller

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brought into the rear. They acquitted themselves bravely for a short time, and then they too joined in the flight of their comrades, many of whom slipped off their horses and made for the bogs. Most of the men escaped, but of the horses—not easily replaced in the Highlands—as many as three hundred were captured, and amongst them the general's sumpter-horse with his despatches and commission.[1]

With this the war, so far as fighting was concerned, virtually came to an end. Prisoners were shipped for Barbados,[2] and in August Monk turned upon Glencairn in the country about Aberfoyle, whilst Morgan was sent northwards to rouse Middleton from his lair in Caithness. It was a campaign of the torch, not of the sword. "Myself," wrote Monk on August 5, "am now destroying the country on this side the hills, where the enemy used to shelter themselves in winter."[3] Before this drastic treatment resistance withered away. By the end of August some of the noblemen who had supported the Royal cause were preparing to submit, and, as they were assured of easy terms, their example was before long readily followed.[4] Middleton himself, indeed, remained in the country till the follow-

Aug. Fire and destruction.

Aug.–Sept. Submission of most of the nobility.

[1] *Merc. Pol.* E, 806, 13.

[2] Monk to the Protector, Aug. 1, Firth's *Scotland and the Protectorate.*

[3] Monk to the Protector, Aug. 5; from the Camp at Lence (perhaps Lennox), *Thurloe*, ii. 526.

[4] Monk had some difficulty in dealing with persons sent up as hostages for the good behaviour of those who had submitted. On Sept. 5 he writes to the Protector, asking whether he 'shall take Lowland security of very good bonds for them, two of them being young gentlemen students in the universities, and a third is so very fat that he could not come by land, but was sent by water.' Firth's *Scotland and the Protectorate.*

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End of the rising.

ing spring, but the rising had virtually come to an end long before. What had not come to an end was the bitterness with which the Scottish population regarded the masterful strangers who had planted the yoke of England upon their country's neck.

CHAPTER XXXIII.

A DOUBLE NEGOTIATION.

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THE mission of Joachim Hane to investigate the condition of the French sea-coast fortresses[1] may be taken as an indication that in October 1653 Oliver had still before his mind a possible intervention in favour of the French Protestants, which would bring with it a close alliance with Spain. In the course of November two reports were received from Hane. In the first he explained that Havre was unfortified, and that to place it in a state of defence would require 6,000*l.* In the second, dated from Rochelle, he announced that one of the two towers which guarded the town had been destroyed by fire, but that the other was being repaired by the King's Governor.[2] After his examination of Rochelle, Hane took passage in a vessel bound for Bordeaux, but having been recognised by a Scot, he was marked out by the authorities for the torture-chamber and the gallows, and it was only after a succession of hair-breadth escapes that some four months later he succeeded in reaching England. It is significant that in these

Oct. Hane's mission to France.

Oct. 25. His report on Havre,

Nov. 5. and on Rochelle.

His subsequent adventures.

[1] See p. 357.

[2] The two reports signed by Israel Bernard, and dated $\frac{\text{Oct. } 25}{\text{Nov. } 4}$, and Nov. $\frac{5}{15}$ (*Thurloe*, i. 553, 578), have been identified as Hane's by Mr. Firth, who published the Journal in 1896. I have no doubt that the place mentioned in the first letter is Havre, the only port passed by Hane on his voyage from Rye to Quillebœuf, where he landed.

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regions which Cromwell anxiously desired to liberate from their oppressors, his agent failed to meet with a single person to whose sympathies he could appeal.

It was, in fact, from the Huguenots of Languedoc rather than from those of Guienne that calls for English assistance were heard. Early in November Dr. More,[1] a Scot residing in Nîmes, arrived in London to plead their cause.[2] About four weeks later it occurred to Barrière that a report on the position of the Protestants of the South from some one better known in England would receive greater attention, and for this employment he pitched upon Stouppe, the minister of the French congregation at the Savoy. Having formerly acted as tutor to the children of a Protestant nobleman of Dauphiné, the Marquis of Montbrun,[3] he was peculiarly fitted to collect intelligence in the Rhone valley. Stouppe, however, declared that he would not go without a direct authorisation from Condé, and it was some time before this authorisation was obtained. In the meanwhile he took an opportunity of conversing with influential personages in England, who assured him that if the Huguenots would commence a rising, a succour of 15,000 men would be sent to their aid.[4]

Nov. Visit of Dr. More.

Dec. Barrière proposes to send Stouppe into France.

There had already been a talk of sending Sexby

[1] He is spoken of sometimes as a minister, sometimes as a physician.

[2] Bordeaux to Brienne, Nov. $\frac{14}{24}$; Bordeaux to Mazarin, Dec. $\frac{1}{11}$, *R.O. Transcripts.*

[3] Grandson of the Huguenot leader, whose title he inherited. Garcel, *Bibliothèque Hist. et Literaire du Dauphiné*, iii. 442. Compare the advice of Lamilitière, July $\frac{11}{21}$, *Guizot*, i. App. vi.

[4] Barrière to Condé, undated, but about Dec. $\frac{5}{15}$. The writer says that Stouppe was 'un homme sans interest, et asseurément un homme d'honneur,' *Chantilly Transcripts.* This appreciation is very different from that of Bishop Burnet.

at the head of 6,000 men on the same service if Spain would undertake to pay them, but the design had been brought to an end by the news which reached England in November that the Spanish fleet, which had lingered in the Gironde since the fall of Bordeaux, had quitted its station and returned to its own country.[1]

Policy of the nominated Parliament.

It is probable that these projects were, to a great extent, the work of the men of the nominated Parliament, eager to support the Protestant cause, and not only dreaming of a complete toleration in England in which even Catholics were to share,[2] but expecting, it must be supposed, that a similar toleration would be accorded at least to Protestant Englishmen in Spain.

Hesitation of the Protector.

To Oliver, on his accession to the Protectorate, the question must have appeared more complicated. It cannot be thought that a close connection with Spain attracted him greatly. There were, however, reasons weighing heavily with him in favour of a Spanish alliance. Not only was he personally disinclined to leave the French Protestants to their ruin, if it should appear that they really stood in need of his protection, but in this view of the situation he was pushed forward by the majority of the Council, and especially by Lambert, to whom he owed much and whose influence in the army was considerable. Nor were political arguments wanting to throw weight into the balance on the same side. It was a palpable danger to the Protectorate that the exiled Stuarts were still residing on French soil, and it was easy to draw the inference that Mazarin was only waiting his opportunity when at last Spain should have been beaten down in the field, to bend his energies to the restoration of his own master's

[1] See *infra*, Ellis Leighton's letter at p. 430, note 1. [2] *Ib.*

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cousin to the English throne, and thereby to bring England into subservience to the crown of France.

Mazarin not really dangerous.

As a matter of fact Mazarin was far more inclined to smooth away the difficulties lying before his feet than to anticipate a distant future. He now set himself to meet Oliver's anxiety by the despatch of

Mission of Baron de Baas.

a special agent, the Baron de Baas,[1] who was to convey his personal assurances that a Stuart restoration would meet with no favour in France. When

1654 Jan. Baas' proposition.

Baas reached England early in January, he found that though Bordeaux, who had not yet recognised the Protectorate,[2] was treated with the utmost coolness, that coolness did not extend to himself. He was well received, especially when it appeared that his business was to give assurances that if the Protector would ally himself with France, Charles Stuart would be prohibited from remaining on French soil.[3] On

Jan. 26. Baas takes leave.

the 26th Baas took leave, bearing with him counter-propositions from Oliver, of the nature of which we have no knowledge, but which may very well have stipulated for guarantees for the good treatment of the Huguenots.[4] Nothing short of this, it may be believed, would satisfy the Council,[5] in addition to the stoppage of the attacks on English commerce by French privateers—especially by those in Charles's

[1] Baas to Mazarin, Jan. $\frac{3}{13}$, *R.O. Transcripts.* Baas was the elder brother of D'Artagnan, whose name has acquired a greater celebrity in fiction than in history.

[2] Bordeaux to Brienne, Jan. $\frac{19}{29}$, *ib.*

[3] This does not appear from the despatches of Baas himself, but is stated in a letter from Thurloe to Whitelocke, Feb. 24, Whitelocke's *Swedish Embassy*, ii. 58.

[4] See p. 428, note 3.

[5] Pickering described Oliver to Baas as a man 'que ses amis avoient presque chargé de la protection de l'Estat, et qui en toutes les grandes affaires se soumet au Conseil d'Angleterre.' Baas to Mazarin, Jan. $\frac{15}{25}$, *R.O. Transcripts.*

service—of which Oliver complained openly to the envoy.[1]

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Negotiation of Cardenas and Barrière.

Pending Mazarin's reply, Oliver continued, as he had hitherto done, to listen to Cardenas and Barrière. Though Cardenas fully understood that no positive decision would be taken till the Dutch war was ended,[2] he considered the prospect of an English diversion in Guienne sufficiently hopeful. Towards the end of January Mazerolles, one of Condé's confidants, landed in England, bringing with him that Conan who had been employed more than two years before to solicit English aid for Rochelle,[3] and who now returned to repeat his request.[4] There can be no doubt that the pleading of these men made considerable impression on Oliver, as he sent for Stouppe, urging him to undertake the mission to the French Protestants for which he had been named by Barrière two months before.[5] He was to find out whether if they received help from England they would be ready to take arms, and whether Condé would help them in the enterprise. Either on this or on some subsequent occasion Oliver suggested that the command might be given to one of Condé's officers, the Prince of Tarente. England, he said, had ruined the party of the Huguenots, and it was for England to re-establish it.[6] Unwise as was the policy thus sketched out, the interest taken by Oliver in the fortunes of the

Mazerolles and Conan in England

Feb. Stouppe to report on the French Protestants.

A Huguenot rising suggested.

[1] Bordeaux to Brienne, $\frac{\text{Jan. } 26}{\text{Feb. } 5}$, *R.O. Transcripts.*

[2] Cardenas to Philip IV., Jan. $\frac{9}{19}$, *Simancas MSS.* 2,529.

[3] See p. 91.

[4] Barrière to Condé, Jan. $\frac{18}{28}$, *Chantilly Transcripts*; Bordeaux to Brienne, $\frac{\text{Jan. } 30}{\text{Feb. } 9}$, *R.O. Transcripts.*

[5] See p. 422.

[6] "Il l'entretient bien une heure et demie de l'estat des affaires de ceux de la religion de France, luy demanda fort s'il croioit que estant asseurez d'estre assistez par l'Angleterre ils voulussent prendre les armes, et si V.A. voudroit se joindre à eux. Il luy dit qu'il n'en doubtoit pas. Cromwel l'exhorta fort à faire le voyage et tesmoigna avoir passion

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Huguenots was at least founded on existing facts. Scarcely a post arrived from France without bringing news of some fresh attack upon them.[1] Whether the best way of assisting them was to stir them to resistance against their sovereign was another question.

Discovery of a Royalist conspiracy.

It did not follow that because Oliver was making sympathetic inquiries into the situation and wishes of the Huguenots, he was prepared to engage himself to Spain before receiving the information he sought. To bring this about some occurrence was required which would have the effect of irritating him yet further against France. Such an occurrence was the discovery of a Royalist conspiracy about a week after Stouppe's mission had been decided on. During the last two months of the preceding year a little group of Royalists had been accustomed to meet at various taverns in London, where they plotted over their cups a scheme for the overthrow of the existing government, and the restoration of the King. One of their number, a Captain Dutton, rode about England to collect adherents who were to come up to London and join in seizing Whitehall, St. James's, the Tower, and the guards about the city. A Colonel Whitely was to go to France to bring over commissions from Charles, but there was a difficulty about paying his expenses. The conspirators were asked to contribute, but most of them declined to pay a farthing, and for a time the meetings came to an end. Conspiracies of so loose a texture are apt to breed informers, and on February 16 one of the would-be

pour cela, disant que l'Angleterre avoit ruiné le party, et qu'il falloit que l'Angleterre le restablit." Barrière to Condé, Feb. $\frac{10}{20}$, *Chantilly Transcripts*. On the choice of a commander see *Mémoires du Prince de Tarente*, 169–171.

[1] See Thurloe's French Intelligence of these months, and Benoit, *Hist. de l'Edit de Nantes*, 161–186.

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insurgents, Roger Cotes, was telling all that he knew to the Council. That night eleven of his companions were arrested at the Ship Tavern in the Old Bailey,[1] which they had probably visited at Cotes's invitation, and were on the following day committed to the Tower. Cotes, who was amongst the number, was discharged on the 24th.[2] This ridiculous conspiracy was not of a nature to call for severe punishment, and none of those concerned in it were even brought to trial.

1654 Feb. 16 Arrest of the plotters, Feb. 17. who are committed to the Tower.

Yet, ridiculous as the plot was, it had its serious side. In the course of the examinations it came out that there existed a committee or council of Royalists authorised by Charles himself, and apparently consisting of Royalist noblemen and gentlemen preparing for an insurrection which would doubtless, when the time came, be conducted with far greater energy than had been shown by these poor tavern-haunters. The formation of such a committee had indeed been proposed to Charles as early as November 1649.[3] When it actually came into existence is unknown, but towards the end of 1653 or in the early part of the following year its members declined to meddle further with the projects of the exiled court, and their place had been taken by a body of more energetic Royalists who styled themselves the 'Sealed Knot,' and at once entered on

A secret Royalist committee

The Sealed Knot.

[1] Examination of R. Cotes, Feb. 16; examination of T. Smith, Feb. 24, *Thurloe*, ii. 75; *A Full and Perfect Relation of the Great Plot*, 130, 1. A Roger Cotes was one of the destructive party in the nominated Parliament (see p. 259). If he was the same man as the informer, the bitterness of that party against Cromwell must have procured his admission to a Royalist conspiracy even whilst the nominated Parliament was still in power.

[2] C. Order Book, *Interr.* I, 75, pp. 123, 127.

[3] Coventry to Nicholas, Nov. 12, 1649, *Nicholas Papers*, i. 154.

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active preparations for a rising against the existing Government.[1]

Delay in Baas's return.

It was already know to Thurloe that this committee was engaged in a design which was to be communicated to Charles as soon as it reached maturity,[2] and it can hardly be doubted that the knowledge that plots against himself were being hatched in France must have somewhat lessened Oliver's inclination to enter into an alliance with that power. Nor was it a hopeful sign that Baas, who had gone back as the bearer of Oliver's counter-propositions, had not yet returned, especially if, as was probably the case, he had carried with him a demand that the French Government should enter into some engagement to give to the Huguenots everything to which they were entitled by the Royal Edicts.[3] Taking these two facts together, there is enough to account for an irritation against France in Oliver's mind, of which Cardenas was not slow to take advantage. On the 22nd he had a long audience, in the course of which he assured the Protector that he had received powers from his master to treat for an alliance. For some days Oliver kept back his answer, and it was not till the 28th, the day on which the Dutch ambassadors returned to England to settle the terms of peace,[4] and all danger of the prolongation of the

Oliver irritated against France.

Feb. 22. Cardenas proposes an alliance with Spain.

Feb. 28. Oliver's answer.

[1] The passage on which this statement is made veils the truth under commercial forms, as is usual in this correspondence. "Many of the principal old merchants in our parts had unhandsomely declined trusting .... 'Tis now settled in more hopeful hands." Sir M. Hobart to Charles, $\frac{\text{Feb. 22}}{\text{March 4}}$, *Clarendon MSS.* ii. No. 1,749.

[2] Intercepted Letters, Feb. 2, 6, *Thurloe*, ii. 64, 70.

[3] In his despatch of April $\frac{20}{30}$, Baas states that he had carried back proposals from the Protector, but does not say what they were. Considering that Oliver insisted for a long time on guarantees for the Huguenots, there is a strong probability that a part at least of his proposals referred to this subject.

[4] See p. 370.

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naval war was virtually at an end, that he sent Thurloe with his reply.

He offers an alliance with Spain.

In a proposal communicated to the representative of his Catholic Majesty deep silence, if only for form's sake, was preserved as to the woes of the French Protestants. Thurloe contented himself with the explanation that Oliver was, before all things, anxious to maintain his domestic position, apparently to countervail the machinations of the Stuart Princes who were under French protection. For this and other reasons discreetly veiled in silence he preferred alliance with Spain to one with France. Yet not only—as Thurloe candidly admitted—was there no popular demand for a war of aggression, but the interruption of trade and the increased taxation to which it must lead would certainly give rise to the gravest discontent. What, therefore, was required was an inexpensive mode of carrying on war, and this could only be attained if Spain were willing to bear, if not the whole, at least the greater part of the expense. If that was admitted as the basis of the understanding, the Protector would be ready to declare war upon France, and to offer powerful assistance to Condé. Though Cardenas vainly urged Thurloe to name the sum he had in his mind, he forwarded the proposal to Madrid and Brussels, urging the importance of meeting Oliver's wishes as far as possible.[1]

Financial objections to a war with France.

Spain asked to supply the money.

A suggestion in itself so extraordinary, and still more extraordinary as emanating from the conqueror of Dunbar and Worcester, undoubtedly calls for explanation, and that explanation can only be conjecturally supplied. There were at this time amongst the men who surrounded Oliver three different parties, as far as foreign policy was concerned. The first,

Differences of opinion on foreign policy.

[1] Cardenas to Philip IV., March $\frac{3}{13}$, *Guizot*, ii. App. vi. *bis*, No. 1.

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that of Lambert and the officers supported by a majority of the Council, clamoured for a war with France; the second, in a minority in the Council, was headed by Pickering and Strickland, and advocated a close alliance with France; whilst a third, best represented by the sagacious Thurloe, was indeed desirous of coming to an understanding with France in order to put an end to the existing maritime warfare, but would have rested in the main on an alliance with the Protestant States, without taking part in the war raging between the two great continental powers.[1]

[1] "Ad negotia Angliæ penitus dignoscenda, sciendum duas fore in Anglia factiones quæ Cromwellio adhuc adhærent et quibus ipse aurem præbet:—

"Una quæ illi suadet, ut ad sese stabiliendum fœdus ineat arctum cum Hispania et, si negotia intestina non impediant, Gallis bellum inferat, Principi Condæo suppetias ministret et urbes quasdam maritimas oræ Britannicæ oppositas occupare tentet. Et hæc fuit illa factio quæ apud eum prævalebat bellum facere contra Hollandos ut vires eorum minuerentur quominus possent Mazarino opitulari. Eo tempore misit Cromwellius emissarium primo ad Parisios qui postea ad Burdigalliam ibat, cui nomen et titulus Colonel Seikerby," *i.e.* Sexby, "vir obscuræ originis, sed acutissimi ingenii, et ejus persuasione et sociorum suorum in exercitu (quorum ille nunc apud Hispaniæ legatum agens est, utpote minoris auctoritatis homo) ita potuit apud Cromwellium ut, renitente et contra argumentante Thurleo (qui primi ferè ministri locum apud Cromwellium obtinet, et præcipuus est Angliæ Secretarius) concessum fuerit sex mille homines et naves quasdam ad auxilium Burdigallensium mittere, sed ea solummodo lege ut Rex Hispaniæ copias illas suo argento conduceret. Sed dum hoc agebatur Burdigala dedita est et classis Hispanica recedere coacta. Omnes illi qui ex hac parte stant volunt indulgentiam dare Catholicis et sæpius disputarunt tum in Parlamento tum in conciliis secretioribus ut libertas conscientiæ illis concederetur.

"Est alia pars quæ ex opposito Cromwellio suadent, ut se caput et ducem faciat fœderis Protestantis, et hi omnes, et præcipue secretarius Thurlæus, qui nunc unicus quasi est intimus Cromwellii consiliarius. Et hi volunt quod pacem paciscatur cum Hollandis, et ut potius Mazarino quam Hispanis adhæreat, licet suadent ut neutrisque fidat, sed conetur ut Hollandi et Dani et Sueci (concurrente præcipue secretario Oxostirnio) magis pendeant ab eo quam a Gallo vel Hispano, et in-

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Oliver hesitates

Though the Dutch war was hastening to an end before the end of February, the commotions in Scotland showed no signs of abating, and undoubtedly neither Oliver nor any other sober person would decide for embarking at the cost of the Commonwealth upon a war of which it was impossible to see the end. Yet it was precisely this for which the military party was heading, and those who are content to refer the actions of public men to single motives will be ready with the suggestion that Oliver, having no wish to contract an alliance with Spain, merely intended to demonstrate to Lambert and his fellows how hopeless it was to expect him to find the supplies without which it would be unwise for England to embark upon the war. Those who are acquainted

structio fuit in hunc finem data legato extraordinario Whitlocki, et hoc novi ex uno qui præsens erat quando Cromwellius illi valedicebat et dixit 'omnimodo trahas Suecos ad fœdus Protestans de novo instaurandum.'

"Et ad hos nunc Cromwellius magis animum inclinat, et statuit apud se, nisi intestinum cum Scotis bellum impediat eum, junctis copiis maritimis ubique mercatura facienda legem imponere, et se pro Protestantium protectore venditare, si aliquid ultro in Catholicos non moliatur, quod timendum est.

"Verum est quod multum pendebit ex successu Scotorum Montanorum quin si periculum Cromwellio de iis immineat pacem et neutralitem conabitur cum omnibus vicinis habere, sed si illis subactis per otium illi licuerit extra Angliam arma proferre, consilia quæ pro præsente amplectitur omnia tendunt ad fœdus cum Protestantibus totius Europæ et ad bellum interim per omnimoda artificia inter duas coronas alendum." Ellis Leighton to —— ? March. *Vatican Archives, Nunziatura di Fiandra* Ellis Leighton, a son of Alexander Leighton, the Star Chamber martyr, had become a Roman Catholic towards the end of 1652 (Hyde to Nicholas, Dec. 20, 1652, *Clarendon MSS.* ii. No. 890). I imagine that the plan of Sexby to land at Bordeaux at the head of 6,000 men was stopped by the Spanish fleet leaving the Garonne, which was known in England in Nov. 1653, rather than by the fall of Bordeaux in July, at which time it was proposed to allow Cardenas to hire ships, but, as far as we know, not to hire soldiers. Leighton, it will be observed, says nothing of the French party, in the Council of which there is frequent mention in Bordeaux' despatches.

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with the involved character of Oliver's thought will hesitate before they accept so simple a solution of the problem. If he was dragged on by the military party in the direction of a war with France, there were hesitations enough in his own mind. He would doubtless have preferred to safeguard the position of the Huguenots with the help of France rather than of Spain; but if this was not to be—and recent events had made him doubtful whether it would be—he had rather safeguard them with the help of Spain than not at all, to say nothing of his fear lest France should encourage the Stuart Pretenders. In the meanwhile he could patiently await the answer from Madrid, and even Lambert could hardly press him to hurry into a war before that answer was known.

Feb. 28. Overtures from Mazarin.

If such thoughts as these were jostling together in Oliver's mind, it was hardly likely that he would refuse at least a hearing to a fresh overture brought by Baas from Mazarin on February 28, especially as it was accompanied by orders to Bordeaux to recognise the Protectorate. It may, indeed, be accepted as certain that Baas had no word to say about the Huguenots, but he offered in his master's name to assist the Protector with 4,000 horse in the event of his besieging Dunkirk, as well as to distract the Spanish army by simultaneously attacking some other town in the neighbourhood.[1] It was not, however, till March 5 that Baas was

[1] These particulars are given in the instructions sent to Bordeaux on July $\frac{6}{16}$, *R.O. Transcripts*. The only question which arises is whether the offer was brought by Baas on his first or second visit. Considering that nothing of this sort was mentioned in Thurloe's letter to Whitelocke (see p. 424, note 3), and that Mazarin is not likely to have made two large offers at one time, I have no hesitation in connecting this one with the second visit.

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allowed to see the Protector, and shortly after that date Bordeaux was refused an audience on the ground that the Protector was unwell, though, as the ambassador bitterly complained, he was not only out walking two days before, but on the very evening of the day for which the audience had been asked had publicly entertained one of the Dutch ambassadors. Meanwhile, the ears of the Frenchmen were filled with rumours of designs for the seizure of the Isle of Rhé and the despatch of thirty ships to occupy the Gironde. Sexby, it was said, was to raise two English regiments for a descent on Guienne, and three thousand Irishmen were to be levied for the same purpose.[1]

Coolness in the treatment of Bordeaux.

Alarmed by the turn of events in England, Mazarin did everything in his power to reassure the Protector on the points on which he was most sensitive. In a memorandum forwarded to his two representatives he informed them, with the evident intention of having his words repeated at Whitehall, that Cardenas had boasted of having cajoled Oliver by his flatteries. They were further to give assurances that if the Protector would join France rather than Spain, he might have an article in the treaty of alliance binding the King of France to give no assistance direct or indirect to any enemy of the present government—in other words binding him to refuse to countenance any designs of the House of Stuart to regain its position in England.[2]

March $\frac{15}{25}$. Mazarin reassures the Protector.

Scarcely had this memorandum been despatched than news reached Mazarin which convinced him

Mazarin hears news from Brussels.

[1] Baas to Mazarin, March $\frac{2}{12}$, $\frac{6}{16}$, $\frac{13}{23}$; Bordeaux to Brienne, March $\frac{9}{19}$, $\frac{12}{22}$, *R.O. Transcripts*. The French ambassador had an informant amongst the deputies from Bordeaux.

[2] Memorandum, March $\frac{15}{25}$, *ib.*

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March $\frac{11}{21}$. The Archduke directs Cardenas to offer 120,000*l.* a year.

March $\frac{17}{27}$. Mazarin bids against him.

that he must bid higher. The Archduke Leopold had advised Cardenas to offer 120,000*l.* a year without waiting for an answer from Madrid.[1] Mazarin at once instructed Baas to offer the same sum, and to go further if it proved necessary in order to clinch the bargain. He was also to remind Oliver that France invariably fulfilled her engagements, whereas Spain was seldom in case to perform hers. It was notorious that Condé, now that he was no longer necessary, had been left by the Spanish Government in a state of beggary.[2] To the two continental powers it seemed that England was put up to auction, and that Oliver was the salesman.

The fleet at Portsmouth.

Of Oliver's power to damage that State against which he turned his arms there could be no reasonable doubt. In addition to the fleet which was confronting the Dutch in the North Sea, another was gathering at Portsmouth. An agent sent by Bordeaux to investigate the condition of the latter reported that fifty-six ships had already arrived, that fifteen were at sea, and that fifty more were expected before long. If weight was to be given to the talk of the officers, this powerful force was to be directed against the coast of France, and most probably against the Isle of Rhé. By the time that this information reached Bordeaux, he learned that

March 18. Boast of Barrière.

Barrière, who had recently visited the Low Countries to consult with Condé, had boasted after his return that his master would soon be at the head of 14,000 men, and would be furnished in England with

[1] The Archduke to Cardenas, March $\frac{11}{21}$; Navarro to Cardenas, March $\frac{11}{21}$, *Guizot*, ii. App. vi. *bis*, Nos. 2, 3.

[2] Mazarin to Baas, March $\frac{17}{27}$, *ib.* ii. App. vii. No. 6. The French offer was 1,200,000 livres, or 400,000 crowns. The French livre was worth 2*s.* and the crown 6*s.* Malynes's *Lex Mercatoria* (ed. 1660), Amphithalami, B. p. 32.

fifteen ships. Mazerolles, it was added, was about to start for Spain to bring back the money needed for the support of these armaments.[1]

The French envoys do not despair.

Nevertheless the French envoys did not regard the situation as in any way desperate. Cromwell, it appears, had been greatly annoyed by the discovery that Mazarin had so rapidly made himself acquainted with his negotiation with Spain, and was inclined to throw the blame on Condé's indiscretion.[2] Nor was he well satisfied that, at the motion of the Archduke, Cardenas had offered him a bare 120,000*l.* a year—far too little, as he plainly told Barrière, to support a war.[3] The final answer from Spain had not yet been given, and it would be some weeks before it could be expected to arrive. Oliver, accordingly, was at some pains to show that he kept his ears open on both sides. On April 4 the Council named two sets of commissioners, the one to treat with Cardenas, the other with Bordeaux.[4] On the 6th, Oliver informed Cardenas that he was ready to authorise the continuance of the negotiation on the understanding that the proposed Spanish subsidy should be increased. Cardenas, indeed, who well knew the poverty of his master, did not venture to speak hopefully on the subject, but it was probably at this time that he suggested that the Spanish and English forces might engage in a

April 4. Commissioners appointed to treat with both ambassadors.

April 6. Oliver asks Cardenas for more money.

Proposed siege of Calais.

[1] Bordeaux to Mazarin, March $\frac{20}{30}$; Bordeaux to Brienne, March $\frac{20}{30}$, $\frac{\text{March } 28}{\text{April } 2}$, *R.O. Transcripts.*

[2] Barrière to Condé, $\frac{\text{March } 28}{\text{April } 8}$, *Chantilly Transcripts.* Burnet (i. 72) states that Oliver afterwards characterised Condé thus: "Stultus est et garrulus, et venditur a suis Cardinali."

[3] "M. le Protecteur nous dit que ce qui avoit empesché qu'il n'eust repondu à l'ambassadeur d'Espagne estoit que les offres qu'il luy avoit faict estoient si loin de ses pretentions." Barrière to Condé, April $\frac{7}{17}$, *Chantilly Transcripts.*

[4] C. Order Book, *Interr.* I, 75, p. 214.

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joint siege of Calais, on the understanding that, after its surrender, the place should be given up to England.[1]

Oliver said to wish to avoid war.

Now that the treaty with the Dutch was actually signed, it seemed hardly possible to postpone much longer a decision which, according to every indication, would be more or less favourable to Spain, though rumours were not wanting that Oliver, if he were free to follow his own inclination, would be glad to avoid war with either State.[2]

Talks of aiding Condé surreptitiously,

At one time he talked of offering surreptitious aid to Condé, which, as he thought, would not entail a public breach with France, and justified the action by the precedent of the assistance given by France to the United Provinces after the Treaty of Vervins had been signed.[3] To Barrière, on the other hand, he talked as if the question was merely one of money, and declared that if Cardenas would satisfy his demands, the required assistance would undoubtedly be given.[4] It was probably with a view to keep open a door for a more friendly understanding with France, in the event of the Spanish negotiation breaking down, that he arranged for the presence of a gentleman belonging to the French embassy at a dinner given by Henry Cromwell to a number of influential officers. The conversation was likely to be extremely hostile to France, and might, therefore, create an impression, not altogether without foundation, that the Protector was being dragged forward by the army further than he was himself inclined to go. If this be the explanation, the exuberant speech of the officers went a long way to answer Oliver's expectation.

yet assures Barrière that he will join Spain if his terms are accepted.

April 15. A dinner at Henry Cromwell's.

[1] Barrière to Condé, April $\frac{7}{17}$, *Chantilly Transcripts*; Baas to Mazarin, April $\frac{20}{30}$, *R.O. Transcripts*.

[2] Bordeaux to Brienne, April $\frac{10}{20}$, *ib.*

[3] Baas to Mazarin, April $\frac{13}{23}$, *ib.*

[4] Barrière to Condé, April $\frac{14}{24}$, *Chantilly Transcripts*.

They talked of the succour they were speedily to bear to their Protestant brethren in France, of the impossibility of establishing a durable peace with that country as long as a cardinal or any other member of his profession was at the head of the Government.[1]

Feeling at the French embassy.

At the French embassy little interest was taken in the question whether Oliver was dragged on by his officers or not.[2] Bordeaux had learnt that the design of an attack on Guienne had reached an advanced stage, and the language of Henry Cromwell's guests was not likely to dissipate the belief that danger was at hand. Baas, whose special mission it had been to reconcile the Protector to France, was irritated beyond measure, and within a day or two after the banquet, he placed himself in communication with a French Anabaptist physician, named Naudin, either instigating him to stir up hostile action against the Protector amongst his Anabaptist friends in the army, or at all events listening complacently to the plan as it was unfolded by Naudin. Naudin applied to Colonel Buller, who was certainly in no hurry to betray the dangerous secret.[3]

Baas plots for a movement in the army against the Protector.

[1] Patt to Mazarin, April $\frac{17}{27}$, *Guizot*, ii. App. viii. No. 3.

[2] "Ce que je puis juger de toutes les diverses choses qui viennent à ma cognoissance, est que M. le Protecteur incline assez à la paix, mais que la plus grande partie des ministres y répugnent." Baas to Mazarin, April $\frac{11}{21}$, *R.O. Transcripts*.

[3] The date is approximately fixed by that of Naudin's interview with Buller, which took place on April 18 (*Thurloe*, ii. 352), and Naudin must have seen Baas on that day at the latest. Bordeaux gave, after the affair was discovered, the following account of it:—"Il sera sans doubte venu à vostre cognoissance que depuis deux mois un nommé Naudin, medecin François, avoit esté trouver ledit sieur de Baas, et s'estoit offert de gaigner quelques officiers de l'armée, mesme quelque place, et fomenter une division dans cet estat, si la France vouloit appuyer ce dessein, presupposant que nous ne debvions pas rejetter des propositions si advantagieux, puisque ce régime estoit entièrement porté à préferer l'amitié de l'Espagne à celle de la France. Quoique ceste ouverture, dans un temps auquel toutes nos instances

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April 19. Baas reproaches the Protector.

On April 19, a day or two after his first interview with Naudin, Baas took the opportunity of an audience to vent his indignation on the Protector. Condé's agents, he told him, boasted that they were to be supplied with fifteen ships and 4,000 men for a descent on Guienne, whilst Cardenas had written to Brussels that the simultaneous appointment of commissioners to treat with France and Spain had been resolved on by his advice; that Whitelocke had proposed a triple alliance between England, Spain, and Sweden;[1] that the Protector himself had favourably received the Spanish offer to assist him in gaining Calais. After these revelations Baas ended by an ironical request that the Protector would extricate him with honour from this labyrinth, and would lighten up the darkness which, at present, clouded his sight.

A hesitating explanation.

Oliver had little expected to receive such full information on those schemes which he was most

pour l'accommodement ne produiroient aucun effect, pust estre escoultée, néantmoins le dict sieur de Baas ne se voulut point engager sur ce qu'il ne croyait pas que la Cour eust intention d'entrer dans de semblables entreprises tant qu'elle verroit jour à l'accommodement, le dict Naudin ne laissa pas de temps en temps de le revenir veoir, croyant sans doubte que sa Ma^te luy envoyeroit de nouveaux ordres. Ce commerce a continué sans ma participation jusques au jour que le dict Naudin a esté faict prisonnier." Bordeaux to Brienne, June $\frac{16}{25}$, *R.O. Transcripts*. The only point in dispute, therefore, is whether Baas invited Naudin to his house, or was visited without a previous invitation by Naudin. The latter always asserted that Baas began the intrigue (*Thurloe*, ii. 309, 351, 412), whilst Buller, on the other hand, agrees with Baas (*ib.* ii. 352); Buller, however, could only know what he was told by Naudin, and I suspect that Baas really invited Naudin, but that they agreed that the latter was to represent himself as the originator of the design. It is not, however, a point of much consequence.

[1] This was a mistake. Queen Christina had urged it—probably, as Whitelocke thought, at Pimentel's instigation—but Whitelocke had no authority to treat on the matter. Whitelocke's *Journal of the Swedish Embassy*, ii. 73.

anxious to conceal. His countenance fell and his words dropped from his mouth more slowly than was his wont. Pickering, who, as was usual when the French language was employed, acted as interpreter, expounded the Protector's utterance as implying that he had no doubt listened to the proposals referred to, because the interest of the State required that he should hearken to every proposition brought before him, but that he had certainly not made them a subject of negotiation. Moreover, he could not hinder people from publishing any stories they pleased. After this halting explanation, Pickering conveniently remembered that his Highness had an engagement which made it impossible to prolong the conversation, though he would be glad to resume it on a more fitting occasion. CHAP. XXXIII. 1654

Yet, angry as the Frenchmen were, the information which they from time to time received led them to believe that Oliver had no personal grievance against France, and it is probable that if France would have yielded to his wishes he would at this time, in spite of Lambert and the officers, have dropped the negotiation with Spain. Colonel Dolman, who had done so much to bring about the peace with the United Provinces, informed Baas of his belief that the Protector had no wish to break with France, and almost at the same time a member of Oliver's family assured Bordeaux that, if the Protector had his will, he would remain at peace with all the world.[1] On one side and the other, however, the continuance of the conflicts at sea kept up the irritation. About the time when these consoling advices were received, three English men-of-war fell in with forty whalers from St. Malo, sank two and

Oliver unwilling to break with France.

Continuance of maritime warfare.

[1] Baas to Mazarin, April $\frac{20}{30}$, *R.O. Transcripts.*

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made prize of another. On the other side the Brest privateers ceaselessly made prey of English commerce. When the Protector brought the subject before the Council, one of its members—perhaps Lambert himself—asked if the wind were fair for Brest.[1]

Oliver anxious to obtain assurances from Mazarin.

If Oliver was to break down this opposition—to say nothing of his anxiety to satisfy his own mind—he must obtain from Mazarin some assurance that the edicts in favour of the Huguenots would be observed, and the English merchants compensated for their losses, which were reckoned in the City at what appeared in the eyes of Frenchmen to be the absurdly exaggerated sum of 2,000,000*l.*,[2] whilst little or no account was taken of losses inflicted on the French.

He knows that Cardenas has received a courier from Spain.

Time pressed, as Oliver must have known that a courier from Madrid had brought despatches to Cardenas on or shortly before April 28;[3] and he cannot but have suspected that these despatches contained orders to give a definite answer respecting the subsidy which was to be paid as the price of the alliance with England. Accordingly, on May 1, evidently with the hope of bending France to his terms, he sent for Baas, and after assuring him that though it was true that he had had communications with the enemies of France, he had as yet come to no understanding with them, or had any inclination to do so, he stated, on receiving a pledge of secrecy, the terms which would satisfy him. In the first place, no succour was to be given to any of the English Royal family except to the Queen-mother,

May 1. He offers terms to Baas.

[1] Bordeaux to Brienne, $\frac{\text{April } 24}{\text{May } 4}$, *R.O. Transcripts.*

[2] Baas, in his letter of May $\frac{4}{14}$, says that 20,000,000 was claimed. Evidently he reckons, as in other parts of his despatches, in livres.

[3] Barrière mentions the arrival of the courier in his letter to Condé of $\frac{\text{April } 28}{\text{May } 8}$, *Chantilly Transcripts.*

who as a French princess might justly look to her nephew for support. In the second place he was ready to negotiate on propositions for a war against Spain, and particularly on a proposal for a joint attack on Dunkirk, which had been made by Mazarin earlier in the year,[1] but this was to be postponed till other questions had been settled. In the third place he asked that the liberties formerly conceded to the Huguenots might be confirmed, and that, if possible, Condé might be admitted to an accommodation. Finally the losses suffered by both sides might be referred to a commission, and in the meanwhile—Oliver apparently taking it for granted that those on the English side would be found to outweigh those on the French—the King of France was to deposit a sum, out of which the English merchants might be satisfied. On the following day the sum demanded was fixed at 200,000*l.*[2] May 2.

Baas's defiance.

After hearing these demands Baas spoke out. The French Protestants, he said, were content with their lot. As for Condé, he was now a mere burden upon the Spanish treasury, and the King could listen to proposals for his return to France only if they came from one who was already a friend or ally. He would never make it a condition of a treaty. It was impossible to say anything about the deposit of 200,000*l.* till Bordeaux had been consulted. Then upon a request from Oliver that he would state the French conditions, Baas replied that his master expected a league against Spain. That, replied the Protector, would follow in due course. The agreement with France would necessarily lead to war with Spain,

[1] See p. 432.

[2] Bordeaux to Brienne, May $\frac{4}{14}$; Baas to Mazarin, May $\frac{4}{14}$, *R.O. Transcripts.*

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but it would be necessary to find reasons for a breach, and such reasons would be sure to spring up of themselves. If Baas were really desirous of concluding the treaty, it could be finished in four days, before any one knew that it was in hand.[1] The conference ended by a declaration from Baas that he had no power to treat without consulting the ambassador. In rendering an account of this conversation to Mazarin, the envoy recommended him, if he wished to refuse payment, to place his refusal on the ground that no security could be given by the present Government until its title had been confirmed by a free Parliament.[2]

Result of Baas's strong language.

In the taunting language he had used to the Protector Baas had perhaps been influenced by his conferences with Naudin, and by the confidence in the strength of the Levellers with which Naudin had inspired him.[3] It is clear that Oliver was seeking a plea to justify in his own eyes and in that of the Council the formation of an alliance with France. If Baas had had the diplomatic skill to recognise this fact, his mission would have been more successful than

[1] "Il me dit qu'infailliblement l'un seroit suivy de l'autre, et qu'il ne pouvoit s'accommoder avec la France sans rompre avec l'Espagne, mais qu'il falloit avoir des raisons, et qu'elles naistroient d'elles mesmes, et que si je voulois, nostre traité seroit fait dans quatre jours, avant que personne eust connoissance qu'il feust commencé." Baas to Mazarin, May $\frac{4}{14}$, *R.O. Transcripts.*

[2] *Ib.*

[3] Baas probably also regarded the demand for 200,000*l.* as being on a piece with the venality which he found prevailing amongst part, at least, of the Protector's following. "L'argent," he writes, "est icy d'une force merveilleuse; une humeur aisée et caressante est aussy fort nécessaire. Avec ces deux moyens on peut espérer de reussir dans les choses difficiles, mais sans cela asseurement, il n'y a pas grande chose à faire avec les particuliers." Baas to Mazarin, May $\frac{1}{11}$, *R.O. Transcripts.* In this conversation with Oliver, Baas seems to have forgotten to employ 'une humeur aisée et caressante.'

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it was. His strong language must have angered Oliver past endurance, and as soon as the Frenchman's back was turned,[1] he sent Thurloe and two other councillors to Cardenas to inform him that he had resolved to employ against France 30 men-of-war, together with an army of 12,000 foot, and 7,000 horse and dragoons, with artillery in proportion. The annual cost of this would be 1,200,000*l.* He did not expect Spain to bear the whole burden, but he wished to know what was the highest offer she was prepared to make.

A message to Cardenas. A military alliance offered to Spain.

This time the Spanish ambassador was prepared with a definite reply. On April 2, the Spanish Council of State had taken Oliver's previous offer into consideration. As might have been expected, they regarded it as 'a plank of safety.' It was true, as they acknowledged, that it was the usual practice for each allied power to meet its own expenses, but, as matters were, it would be best to accept Oliver's aid on his own terms, even if he stood out for a few thousand crowns more than the 120,000*l.* which the Archduke had proposed to offer. An engagement might be given to pay the required sum as soon as the plate-fleet arrived—an event which usually occurred in June. It was, moreover, desirable that a small sum should be sent in advance to the ambassador, to enable him to secure the good will of influential personages; in other words, to play once more the

April $\frac{2}{12}$. Resolutions of the Spanish Council of State.

[1] I think we may assume this to have been the case, though we have only evidence that the two ambassadors were seen on the same day. It is obvious that the conversation with Cardenas must have been held later than that with Baas. Taking the whole story together, it is likely that the general course of the proceeding was arranged between Oliver and the majority of the Council beforehand. They might allow him to make the offers to France on condition that if they were rejected, he should proceed to bargain with Spain. The irritating nature of Baas's replies would not have been foreseen.

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game of bribery which had been successful at the Court of James.[1]

May 4. An offer from Cardenas.

Being thus in full possession of the wishes of the Council of State, Cardenas, on May 4, raised his former offer to 200,000*l.*[2] With this sum, amounting to no more than one-sixth of the expenses of the war, neither the Protector nor his Council was likely to be content, and on the following day, Oliver sent three councillors to Bordeaux to suggest that a smaller payment than 200,000*l.* would suffice as a deposit, and to threaten that unless the ambassador would arrange for its payment there should be no further negotiation. Bordeaux replied proudly that reprisals must first be stopped, and that even then the damages suffered on both sides must be compared before a penny was paid. After this, Baas had a long talk with Pickering, who, well-disposed as he was to France, could only say that, unless the money were paid, no understanding was possible. So strongly did the feeling of the Council run against France, that though the councillors agreed with the Protector in regretting the seizure of the St. Malo whalers,[3] a proposal to restore the prizes was cast out by a majority.[4]

May 5. A proposal to Bordeaux.

May 8. Cardenas raises his offer.

On May 8 Cardenas, who must have been at least to some extent aware of what was passing, raised his offer to 300,000*l.*, of which two-thirds were to be paid at once.[5] To Oliver and his Council, it would

[1] Consulta of the Council of State, April $\frac{2}{12}$, *Guizot*, ii. App. vi. *bis*, No. 4.

[2] Barrière to Condé, May $\frac{5}{15}$, *Chantilly Transcripts.* The sum named is 1,000,000 patagons, each, as we have from Barrière's letter of May $\frac{20}{30}$, being worth 4*s.*

[3] See p. 439.

[4] Bordeaux to Brienne, May $\frac{8}{18}$; Baas to Mazarin, May $\frac{8}{18}$, *R.O. Transcripts.*

[5] Barrière to Condé, undated, but before May $\frac{15}{25}$, *Chantilly Transcripts.*

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be a serious matter to find the remaining 900,000*l.* which would be needed if the war was to be waged on the scale indicated to Cardenas less than a week before,[1] especially as at this time Monk was daily calling out for money to enable him to subdue the insurgents in Scotland. No wonder that Oliver hesitated, and that Pickering was encouraged to throw out hints to Baas that, though Dunkirk could not be accepted by England for fear of creating jealousy in the minds of the Dutch, it might be possible for the French to suggest some more acceptable plan. On this, Baas recurred to the idea of carrying on war in the West Indies, of which it appears there had been frequent speech in the conversations between the two, but he was now informed that that would be equally unacceptable with the attack on Dunkirk. All that could be gained from Pickering was a dark suggestion, that after the money had been paid, the Protector would probably have a proposal to make. A decided refusal from Baas brought to an end an interview which had only served to bring into prominence the irresolution which at this time pervaded the Protector's mind.[2]

Financial difficulties.

Hints thrown out by Pickering.

On the 18th, again Bordeaux had a somewhat stormy meeting with the commissioners appointed to treat with him, the Protector himself being present. After the ambassador had refused point-blank to buy the friendship of England, and had declared it to be impossible for him to remain in the country to witness acts of hostility against France, Oliver retorted that the French had been the first to make prizes, and that even the King's ships had joined in these hostile proceedings. Private wrongs might be submitted to

May 18. A stormy discussion.

[1] See p. 443.

[2] Baas to Mazarin, May $\frac{11}{21}$, *Chantilly Transcripts.*

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examination, but not those done by the vessels of the State. Bordeaux, on his part, had a complaint to make: some English sailors had landed at Cancale and had attempted to carry off cattle. If so, replied Oliver, they had acted without orders, whereas Englishmen had been mobbed at St. Malo. Yes, said the ambassador, but the mob was goaded to violence by the seizure of ships belonging to the port, and the Protector ought rather to thank the governor for the protection he gave to the sailors than condemn the justly aggrieved people of the place.[1]

May 19. Cardenas told that war would be declared against France.

As might be expected, it was Cardenas who profited most by this clash of words. On the 19th he received a message that the Protector accepted his offer of 300,000*l.* a year, and was ready to declare war against France. It was however added that, in consequence of the demands made on the army by the war in Scotland, Oliver would be unable to make war by land in the current year, though he was ready to make it by sea with thirty ships. Cardenas would gladly have clinched the bargain without further delay, but the case which had arisen was not provided for in his instructions, and he referred to Brussels for the authority he lacked. In the meanwhile he urged Oliver to lose no time in the issue of a

May 20.

manifesto declaring war against France.[2] Oliver replied that it was not the custom in England to declare war by manifesto. He was, however, ready to increase the number of ships to forty, and with such a force blockading the ports of France, there could be no possible doubt that England was at war. Besides this, he was ready to furnish vessels

[1] Bordeaux to Brienne, $\frac{\text{May } 22}{\text{June } 1}$, *R.O. Transcripts.*

[2] Barrière to Condé, May $\frac{20}{30}$, *Chantilly Transcripts.*

by means of which Condé could execute his designs. Whether he could also allow Condé to employ 3,000 English soldiers must for the present remain uncertain. Barrière attributed Oliver's refusal to issue a manifesto to his desire to obtain the sanction of Parliament to the war. Yet with all that he sounded a note of warning. It was a reason, he added, for accepting Oliver's proposal without delay that the Council was now in favour of an alliance with Spain, all England being passionately bent on an attack on the Indies.[1] CHAP. XXXIII 1654

Barrière had put his finger on the weak point of what by this time appeared a triumphant cause. As in the negotiation with the Dutch, two currents of opinion were contending for the mastery in England, and even in Oliver's own mind. That the material advantage of the nation lay in the plunder of treasure-ships and the conquest of the West India islands[2] was too tempting a belief to be easily rejected. Oliver and the Council agreed in upholding the succour of French Protestants as equally, if not as more worthy of the efforts of a Protestant nation. Of the genuineness of the belief in England that the French Protestants were in danger, the despatches of Bordeaux furnish incontrovertible evidence, whilst the letters of English agents in France during these months are Two policies.

[1] "Les Espagnols doivent bien considérer cette affaire, car il est fort à craindre que s'ils ne traitent avec M. le Protecteur, il traitera avec la France, à quoy tout le conseil est fort incliné, et fort porté contre l'Espagne, comme l'ambassadeur sçait fort bien, toute l'Angleterre desirant avec passion que l'on attacque les Indes," &c. Barrière to Condé, $\frac{\text{May } 22}{\text{June } 1}$, *Chantilly Transcripts.*

[2] On April 26 W. Cooper sent Thurloe a book taken from a Dutchman about navigation in the West Indies, and recommends Capt. Shelley as knowing the American coasts, and Capt. Powel as well acquainted with the Gulf of Mexico. *Thurloe*, ii. 250.

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full of the sufferings of the Huguenots.[1] No wonder Oliver was hopeful of combining both policies by an agreement with France. When this hope failed him, mainly, it must be acknowledged, in consequence of his own exorbitant demands, he decided with the approbation of his Council in favour of an agreement with Spain, hoping to save the Huguenots, though he would have to leave the treasure fleets untouched. It seems, however, that by the end of the third week in May the majority of the Council, hitherto standing firmly for the Spanish alliance, were coming over to the alternative policy, partly under the pressure of public opinion, partly perhaps in consequence of the acknowledged emptiness of the Spanish treasury.

A plot to murder the Protector. May 23. Baas's intrigue with Naudin discovered.

On the 23rd all London was ringing with the news that a conspiracy to murder the Protector had been discovered, and that Naudin had testified to Baas's complicity in a scheme for debauching the army from its allegiance to the Protectorate.[2] Not only the Protector but even the faithful Pickering complained that the plot had been hatched on French soil.[3]

[1] See Thurloe's collection for March to May. The date of a letter of intelligence from Paris, May $\frac{19}{29}$ (ii. 265) is misprinted May $\frac{16}{26}$.

[2] Naudin's confession, May 23, *Thurloe*, ii. 309.

[3] Bordeaux to Mazarin, $\frac{\text{May } 25}{\text{June } 4}$, $\frac{\text{May } 29}{\text{June } 8}$; Baas to Mazarin, $\frac{\text{May } 29}{\text{June } 8}$, *R.O. Transcripts.*

CHAPTER XXXIV.

THE WESTERN DESIGN.

SINCE his return from Worcester Charles had been living a disreputable life in Paris, consoling himself in low debauchery for the kingdoms he had lost. Yet from time to time he manifested a wish to achieve some enterprise worthy of his name, and in December 1652, after creating Wilmot Earl of Rochester, he despatched him to Germany to plead with the princes assembled at the Diet of Ratisbon for pecuniary aid.[1] Before the end of 1653 the Diet granted him a sum of 200,000 rix-dollars,[2] and with this money in hand Charles would have something to pass on to Middleton for the purchase of arms for Scotland, and possibly something left over for the prosecution of other designs. Month after month, however, passed away without a penny of the grant being actually paid,[3] and as Mazarin also omitted to pay Charles any part of the pension which had been granted him by the French Court, the exiled prince was reduced to depend for his own personal expenses

1652 Dec. Charles looks for help from Germany.

1653. Nov. Money granted to him but not paid.

1654. Is supplied by English Royalists.

[1] Charles to the Emperor and the German princes, $\frac{\text{Nov. } 25}{\text{Dec. } 5}$, Dec. $\frac{13}{23}$, 1652, *Clarendon MSS.* ii. No. 875.

[2] Extract of a letter from the Elector of Brandenburg, $\frac{\text{Oct. } 28}{\text{Nov. } 2}$, 1653, *ib.* ii. No. 1,473.

[3] *Clarendon*, xiv. 103.

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—which, with his habits of life, cannot have been small—upon contributions surreptitiously despatched to him by the English Royalists.

At the exile's court the old factious spirit lessened all probability of harmonious action. Hyde, now warmly supported by Ormond, argued that his master's only chance of success was to throw himself on the English Cavaliers, and it was with their complete approbation that the Sealed Knot was organising an insurrection in England on a larger scale than that contemplated by the plotters arrested in February. During the spring of 1654 communications were constantly passing between Charles and his supporters in England, and hopes were confidently entertained that with Middleton and Glencairn still in arms in the Highlands, a great rising in England would shake the Protectorate to the ground.[1]

The Sealed Knot at work.

In opposition to the idea of trusting to the English Cavaliers was the Queen's party, to which Jermyn and the Lord Keeper Sir Edward Herbert were attached, who, so far as they were not instigated by mere personal dislike of Hyde and Ormond, appear to have wished to regain England mainly with Presbyterian help. In the winter Herbert had egged on Lord Gerard, Sir John Berkeley, and the veteran intriguer Bamfield to a desperate attempt to ruin Hyde by an absurd accusation of corresponding with the Protector,[2] and though the charge absolutely broke down, its instigators continued in every possible way to discredit the policy to which Hyde was committed. The appearance of Prince Rupert amongst them was by no means a source of strength,

The Queen's party.

Rupert's demands.

[1] Charles to Loughborough, Feb. $\frac{11}{21}$; extract from Armorer's letter, $\frac{\text{March } 24}{\text{April } 3}$, *Clarendon MSS.* ii. Nos. 1,735, 1,833.

[2] Hatton to Nicholas, Dec. $\frac{20}{30}$, Jan. $\frac{6}{16}$, *Nicholas Papers*, ii. 37, 49.

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as Rupert was at that time engaged in a personal contest with the King, Charles having refused to allow his claim to retain not merely the whole of the prizes he had taken in the course of his adventurous voyage, but also half the value of the cannon on board his own ship. Some months later, indeed, Charles, with Mazarin's assistance, secured the price of the cannon,[1] but in the meanwhile, so long as the relations between France and England continued strained, Mazarin wished to detain Charles in Paris by keeping him short of money with the intention of launching him against England in the event of a rupture with the Protector. In consequence of this dispute, Rupert began to identify himself with the Queen's party, though he had little in common with them, and had absolutely refused to associate himself with them in their false accusation against Hyde. Hyde, however, as the guardian of the King's well-nigh empty exchequer, was the firmest of the antagonists of Rupert's pretensions, and Rupert was therefore in a temper to welcome any plan of action which would be distasteful to the party of which Hyde was the acknowledged leader.

Rupert's dispute with Charles.

He seeks support from the Queen's party.

The opportunity, whether sought by Rupert or not, was not long in presenting itself. If the subsequent declarations of the Government are to be trusted, there had been a design for the assassination of Oliver even before the dissolution of the Long Parliament. This design, whoever its authors may have been, had been betrayed by Fitzjames, who, though he had acted as a negotiator for the Commonwealth in the affair of Dunkirk in the early

A previous assassination plot.

[1] Statement by Rupert, undated; Hyde to Nicholas, March $\frac{3}{13}$, $\frac{\text{March } 30}{\text{April } 10}$; Hyde to Wentworth, $\frac{\text{April } 21}{\text{May } 1}$, *Clarendon MSS.* ii. Nos. 1,619, 1,771, 1,828, 1,868.

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1654 March. Henshaw in Paris.

part of 1652,[1] still kept up his relations with the exiled court. Whatever may have been the truth in the matter of this early assassination plot, a certain Major Henshaw, one of those Royalists who kept themselves out of danger by occasionally rendering unimportant services to the Government, appeared in Paris about the end of February 1654,[2] accompanied by his half-brother, John Wiseman, both of whom had formerly served under Condé in Guienne, but had deserted their colours when royalism showed itself the winning cause.[3] Henshaw, having obtained an introduction to Rupert, now proposed to assassinate the Protector, and Rupert asked Charles to see him. Charles, however, refused to admit him to his presence on the ground that he was in relations with the English Government. It is not unlikely that Charles had learnt that before the dissolution of the Long Parliament Henshaw had been sent as a spy into the Low Countries by Scot, though, as Scot complained that he received no information of importance from him, it is extremely probable that he regarded this employment as a mere blind to enable him to keep a footing in England.[4]

He proposes to assassinate the Protector.

Charles refuses to see him.

[1] *A True Account of the late . . . Conspiracy*, p. 6, E, 813, 22. This was published in Oct. 19, 1654, and should be supplemented by the *Declaration* (E, 857, 3) published on Oct. 31, 1655.

[2] *I.e.* the beginning of March, N.S. La Rivière to Desborough, May 31 / June 10, *Thurloe*, ii. 336. [3] *Ib.*

[4] That Henshaw was in heart a Royalist appears from Scot's complaint (Scot's Confession, *Hist. Rev.*, Jan. 1897, p. 116); the open denunciation of him as the chief contriver of the plot by the presiding judge at the trial of Gerard and Vowell, his escape to the Continent upon the discovery of the plot (see *infra*, p. 461, note 4), and his committal for high treason on Dec. 9, 1658. His connection with the story about Morland and Willis (Life of Thurloe, prefixed to *Thurloe*, i. xv) is also good evidence for his reputation as a Royalist, though the date of his committal (*ib.* vii. 62), being subsequent to Oliver's death, shows that the story cannot be relied on. La Rivière states that Henshaw in Paris associated himself with Wilkenet, a Dutchman who had taken part in the murder of Rainsborough. See note at p. 455.

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Yet there is reason to believe that Charles did not throw aside the idea of an assassination plot, a scheme which he would feel the less scruple in fostering, as the murders of Dorislaus and Ascham had been greeted with approval by such austere Royalists as Hyde and Nicholas. He accordingly—we have here again to rely on the statement of the English Government—invited Fitzjames to Paris, being in entire ignorance that he was in the service of the Protector.[1] When Fitzjames arrived he brought with him John Gerard, who had been involved in the scuffle with Dom Pantaleon Sa. This youth was a cousin of Lord Gerard, and was consequently at once admitted to the assemblies of the Queen's faction. It was not long before he had an interview with Charles in his cousin's chamber, at which Lord Gerard himself was present, together with Fitzjames, Griffith, and the Colonel Whiteley who had come over as the agent of the plotters who had been arrested in February.[2] Charles, it appears, discouraged any immediate attempt upon the Protector's life, apparently on the ground that it would be useless as an isolated act, but was favourably disposed to it if put in execution as a prelude to such a rising of the Cavaliers as was impending under the orders given to the Sealed Knot.[3]

Charles invites Fitzjames to Paris.

March. Fitzjames and Gerard in Paris.

[1] As will be seen, Fitzjames was drowned on his return. Later in the year Hatton writes: "Bamfield is certainly very bad, as my informations out of England assure me; and so was Fitzjames that was drowned, in whose pockets were found treacherous papers, and in particular some reflections upon Capt. Griffin, who lives near Dieppe, where Bamfield had certainly been, as well as in England." Hatton to Nicholas, $\frac{\text{Sept. 22}}{\text{Oct. 2}}$, *Nicholas Papers*, ii. 92. On Capt. Griffin, or Griffith, see *Hist. Rev.*, July 1896, pp. 483, 501, note 50. It was through him that Charles invited Fitzjames to Paris.

[2] See p. 426.

[3] In the *Declaration* published in 1655 (E, 857, 3) the English Government stated that Charles 'relied on Gerard and Fitzjames, to

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If this account be accepted, the most that can be said for Charles is that his secret preparations

Charles's conduct characterised.

whom he gave precise directions that they should not make their attempt till all his friends were ready in England.' We have also, from the same source, the information that Charles 'spake to both Fitzjames and Gerard concerning it, and did not only approve thereof, but declared that he looked upon it as a most necessary, if not the only, means to set all his other designs in motion.'' This is evidently based on Bamfield's statement (*Thurloe*, ii. 510): "Henshaw came over before the other"—*i.e.* Gerard—"applied himself to one Mons. Chockey"—*i.e.* Choqueux—"a Frenchman, Prince Robert's agent, and by his means had access to the Prince, proposed his design to him, with what he desired. The Prince acquainted the King therewith, who approved his undertaking, was resolved to speak with him about it, as soon as he could find a conveniency. In the interim advertisement came to the King out of England that Henshaw was employed thence by his enemies, and that his undertakings were but to abuse him. Upon this the King gave the Prince caution of him and my Lord Gerard his cousin but"—*i.e.* John Gerard—"he justified him as a brave and honest man, and one who was real in what he pretended. Upon this you may rely that the King both knew of it and approved of it, and looked upon it as the only and most necessary means to set all his other designs in motion." In a later letter (*ib.* ii. 533) Bamfield is somewhat more explicit: "Touching what you write concerning the King of Scots . . . I assure you it's a matter of great indifference to me whether he had been privy to it or not; but since you desire my opinion of it, I shall tell you my certain knowledge, that he was so far from not approving it, that long before either Gerard or Fitzjames came over, he endeavoured to engage another in it, as an essential means to give motion to all his other designments; but, failing of a convenient person, he sent for Fitzjames, commanded Capt. Griffin to write for him, engaged himself to give him a sum of money to defray his charges, though he should not undertake what he had to propose to him: Gerard and he came together to Paris, spake to the King together upon Saturday night at ten of the clock in my Lord Gerard's chamber, both together and apart; was with them near two hours. There were present my Lord Gerard, Col. Whiteley, Capt. Griffin, Fitzjames, and Gerard. Jack Gerard had orders not to put the business in execution till he had directions from the King for the serving of it. Henshaw the King did not speak with, although he had promised it, by reason he received advertisement he was employed out of England from his enemies to abuse him, and that is still confidently believed." The question of Bamfield's credibility at once arises. He was a Royalist who betrayed his master by selling his secrets to his enemy, and is, therefore, to be regarded with suspicion. It must be remembered, however, that, except in exceptional cases, it is in the

compare not so very unfavourably with that of Monk who, a few weeks later, openly set a price on the heads of the leaders of the rising in the Highlands.[1] The general insurrection of Royalists, to which Charles was looking forward, would of necessity open with

interest of a spy to tell the truth, as his credit depends on his doing so. This motive, too, must have been specially operative in a spy of Oliver's, as it was notorious that he had many in his service, and was specially well informed (compare the case of Henry Seymour, whom he told as proof of his having seen Charles in France, 'when and where he saw him, and in what rooms, and some things that were said' (*Nicholas Papers*, ii. 99), so that it would be dangerous to attempt to deceive him. The exceptional circumstances, where a spy says what his employer looks for, and where he fears dismissal because he has nothing valuable to report, were absent in Bamfield's case. It is evident that in the letter just quoted Thurloe had expressed doubts of the truth of the charge against Charles, and it is also evident, from the long paper from which the first of the two quotations is taken, that there was no risk of his being gravelled for lack of matter. On the other hand, that paper, dealing as it does with many things, has all the appearance of being written with great moderation by a man who is anxious not to pretend to greater knowledge than he has. Moreover, Bamfield's account of the way in which Henshaw's plot was introduced to Charles is corroborated by a letter from Rivière—probably the La Rivière who, in 1651, brought a message from Rochelle (see p. 90). "Thomas Henshaw," he says, "and John Wiseman, with one Wilkenet, a Dutchman, who boasts to have helped to murder one Colonel Rainsborough near or at Doncaster, did propose unto the King of Scots, with the assistance of one Walsingham, Mons. Digby's secretary, who is a notable Jesuitical papist, and who hath great credit amongst that generation, and of Mons. Montague's chaplain, a popish priest, as also one named Choqueux, surgeon to Prince Robert, for to murder the Protector Cromwell. As suddenly as Henshaw and Wiseman had their answer, they returned into England to wait a time to execute their damnable design." Rivière to Desborough, $\frac{\text{May 31}}{\text{June 10}}$, *Thurloe*, ii. 336. The argument that Charles would not have countenanced a murder plot because he was engaged in one for a general rising appears to me to be worthless, and it is certainly no argument against his complicity that Hyde did not believe it. *Clarendon MSS.* i. 1,937. A letter of intelligence, written on $\frac{\text{June 24}}{\text{July 4}}$, probably hits the nail on the head: "R[ex] C[arolus] confesses now he knew something of that plot; but swears it never began by him, nor from him, but by others which he will not name." *Thurloe*, ii. 398.

[1] See p. 405.

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a surprisal of fortified posts and the cutting down of the soldiers on guard. It might seem but a short step in advance to begin the process with an attack on the Protector, and to weaken the resistance of the army by the destruction of its head. Yet it is hardly likely that such fine-drawn arguments found any place in the exile's brain. That no laws applicable to the ordinary relations of human society had any value to protect the lives of the late King's murderers, was the creed even of the stricter sect of Royalists.

His connection with the plot ceases.

Here, at all events, Charles's connection with the plot appears to have come to an end. If the Gerards and their allies of the Queen's party kept the scheme on foot it was in opposition to the politicians to whom Charles increasingly gave his confidence—the party of insurrection under the control of the Sealed Knot. It is certain that the members of the Queen's party were dissatisfied with Charles on other grounds than the dispute with Rupert about the cannon. We hear of Rupert, Gerard, and Herbert disparaging him in comparison with his brother James,[1] and finally persisting in the assassination plot after Charles had resolved to defer it.[2] Before the end

[1] From a letter of intelligence from Paris of March $\frac{21}{31}$, we learn that the Queen wanted to send the Duke of York with Rupert, Lord Gerard, and Sir E. Herbert to Scotland, whilst Charles remained on the Continent, *Thurloe*, ii. 179. At Gerard's trial it was said that Rupert was to land in England with 10,000 men. As matters were, this looks like a ridiculous invention; but it must be remembered that every one was speculating on a breach between France and England, and that Rupert may very well have asked for an army in case of Cromwell's allying himself with Spain. Considering the life that Charles was leading, it was natural enough for men like Rupert to think that the cause of Royalism would prosper better in more active hands, and also that the mother of the two young men should be of the same opinion.

[2] "I am told he"—*i.e.* Charles—"sharply reproved this mighty man at arms"—*i.e.* Lord Gerard—"for making use of his name, and

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of May Rupert found it advisable to betake himself to Germany, and Herbert, having tired out the patience of Charles, was driven to surrender the Great Seal.[1]

April. Gerard goes to England.

It is significant that when John Gerard, following Henshaw, returned to England, he travelled in company with Major Halsall, one of Ascham's murderers, 'with the intention,' it is said, 'to kill the Protector and divers others.'[2] If any further indication of the quarter in which the murder plot found its chief support, it would be seen in a proclamation purporting to proceed from Charles himself, and offering a reward of 500*l.*, a

Alleged proclamation for the murder of the Protector.

meddling with his business without his allowance or knowledge. [D. O'Neill] to [W. Ashburnham], $\frac{\text{May } 27}{\text{June } 6}$, *Thurloe*, ii. 322.

[1] In an earlier letter of $\frac{\text{May } 24}{\text{June } 3}$ the same writer says that Charles had had an altercation with his mother 'about Prince Rupert, Sir E. Herbert, and Sir J. Berkeley, in all which she had little satisfaction, for he said they had so behaved themselves to him that they should never more have his trust nor his company, if he could.' He then adds of Lord Gerard that he 'is upon as ticklish terms, and so will all those [be] that think to use this young man as they did his father; for though in appearance he is gentle, familiar, and easy, yet he will not be purmanded (*sic*) nor governed by violent humours, such as these are.' *Thurloe*, ii. 312.

[2] —— to Scot, $\frac{\text{April } 29}{\text{May } 9}$, *ib.* ii. 257. Gerard is here spoken of as having 'lately' gone. 'Lately' must have rather a wide interpretation if the following passage refers to him: "The last night Lord Gerard's cousin is returned, because his brother dares not. By the next I shall know what trade he drives. If the King take not care such small factors will leave him in the lurch." Armorer to Nicholas, $\frac{\text{March } 24}{\text{April } 8}$, *Clarendon MSS.* ii. 1,833. Mr. Firth, however, tells me that the word here read as 'cousin' is almost undecipherable, and besides Lord Gerard had other cousins besides John. It seems, indeed, almost certain that John did not leave France till after the middle of April, as Halsall is probably one of the two persons referred to in a letter of $\frac{\text{April } 21}{\text{May } 1}$, in which Hyde tells Nicholas that he had written to him 'three days since by some honest gentlemen who pass by Calais; . . . two of them are the brave fellows who spake with the rebel ambassador at Madrid, which for their safety I have advised them not to brag of.' *Clarendon State Papers*, iii. 235.

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knighthood and a colonelcy, to any one who 'by pistol, sword or poison,' succeeded in killing 'a certain mechanic fellow, Oliver Cromwell.' If internal evidence be worth anything, that proclamation was never issued by Charles; whilst the only man likely to have drawn it up was the ally of Rupert and the Gerards—Sir Edward Herbert.[1]

Henshaw and Gerard active.

After their return to England Henshaw and Gerard devoted themselves to the accomplishment of their wild scheme. There were plenty of the King's old soldiers in London ready for an attack on the authorities. Yet the plot was not one that had any chance of success. What was required was not merely to kill the Protector, but to master the soldiers posted at Whitehall, St. James's, the Mews, and other quarters. How many men were listed for this latter purpose it is impossible to say. It was Henshaw's business to multiply the number in order to give an impression of strength to each new recruit. At one time there was a talk of 700 ready to take arms under himself, and some hundreds more under other officers. At another time the number swelled to three or four thousand. Amongst

[1] Mr. Macray (*Preface to the Calendar of the Clarendon MSS.* iii. xi, note †) expresses a hope that it was only 'a proposed paper.' The basis of my argument that it did not emanate from Charles is to be found in the three names which were to be excepted from pardon after the murder of the Protector—those of Bradshaw, Lenthall, and Hazlerigg. The presence of Bradshaw's name is almost a matter of course, but it seems inconceivable that Charles should have been ready to pardon the other regicides, and it is difficult to find a reason why, if he was, he should except Lenthall and Hazlerigg from pardon. I can think of no one except Herbert who had a special grudge against these two. He had as the Attorney-General of Charles I. been foiled by the House of Commons in his attack on the five members, and may therefore have been quite ready to send to the gallows the Speaker of that House and one of the only two surviving members of the five, the other, Holles, as a Presbyterian who had been exiled for supporting a reconciliation with the King, being manifestly unfit for proscription.

those gained over by Henshaw was Gerard's kinsman, Somerset Fox, who undertook to make recruits amongst the City apprentices, and Peter Vowell, a schoolmaster of Islington, who was ready to gain over his own acquaintances.[1]

May 14. Failure of an attempt on the Protector.

It is said that the first plan was to surprise the Protector on May 14, after he had left Whitehall on his accustomed Saturday visit to Hampton Court. This time, however, Oliver escaped by taking to the water as far as Chelsea, instead of going by land after his usual habit. The fact was that the Government had for some time been in possession of at least the outlines of the conspiracy. Fitzjames, indeed, had been drowned in crossing the Channel on his return home,[2] but before he left Paris another person, whose name is unknown, had sent an information of Gerard's purpose in a letter which must have been in the hands of the Government early in May.[3]

On the 18th the Council received more detailed

[1] Evidence given at the trial of Gerard and Vowell, *State Trials*, v. 524–530; examinations in *Thurloe*, ii. 334–355, *passim*; and in *A True Account*, E, 813, 22. It must be remembered that a very small part of the information in the hands of the Government has reached us. The first examination in Thurloe's collection is dated May 27, and is headed 'The further examination of John Jones.' Comparison of the documents officially printed in the *True Account* with those in Thurloe's collection shows that whilst the former are compressed by the omission of passages, they were not being tampered with by the insertion of passages not in the originals.

[2] *A True Account*, p. 8, E, 813, 22.

[3] The letter, printed in *Thurloe*, ii. 257 (see p. 457, note 2), is unsigned. Mr. Firth, who has compared the handwriting with Henshaw's Vindication (*Clarendon MSS.* ii. No. 1,989) and with a tracing from Fitzjames's letter (*Add. MSS.* 32,093, fol. 185), informs me that there it has no resemblance with that of either of the two. The address to 'Mr. Thomas Scot' looks as if it came from one of the intelligencers employed by the Council of State of the Commonwealth, and not by the Protector.

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intelligence from a Cavalier gentleman, who had been informed of the design, but had recoiled with abhorrence from assassination.[1] On Sunday, May 21, probably after fresh details had become known, the Council ordered the arrest of John Gerard, together with five of his comrades.[2] On the following day the number of prisoners was at least doubled.[3] On the 23rd a proclamation was issued directing the constables of

Proclamation for the discovery of lodgers.

[1] The story given in the official narrative, *A True Account*, is as follows: "Upon the 18th day of May last (though there had been some dark hints of the business before) there came to one related to his Highness and the public affairs a person of quality whose affections had always been on the other side, and told him that he had a matter of consequence to acquaint him with, which he said he did not as an Intelligencer, or out of a design to get any reward by it, but merely out of a sense he had of the bloodiness of the thing he had to discover; and then declared there was a design to assassinate the Protector: that the persons who were to do it were agreed upon and listed, and had undertaken it: that their intent was to assault him as he should be going to Hampton Court, and, if they failed, then to attempt him sitting in Council; or, if they could not have opportunity there, then to fall on him as he should be going to chapel; that it was resolved the business should be executed suddenly: and he said it was to have been executed the Saturday before, and that which made it miss was because the Protector, contrary to his wonted course, had gone that day by water as far as Chelsea. He said also that two of the persons engaged in it were John Gerard and Tuder the Chirurgeon, neither of whose lodgings he knew, but affirmed that the thing was most real, and most earnestly desired the information might not be slighted, but that some speedy provision might be made against the danger, adding that, although he had been of the other side, yet he could not but perform his part in preventing so base and unworthy a design, and held himself bound in conscience to make this discovery.

"The same day there came another person of quality, and utterly unknown to the other, to a member of the Council, who, with some horror and amazement, told him that certainly there was a design to murder the Protector, and it was ripe and ready to be executed, concerning which he gave some reasons inducing a belief." It is easy to understand that the Government, anxious to encourage Cavaliers of this type, should have given prominence to their warning, and have thrust the earlier informants into the background as authors of 'some dark hints.'

[2] Warrants, May 21, *Cal. S. P. Dom.* p. 436.

[3] Baas to Mazarin, $\frac{\text{May } 23}{\text{June } 1}$, *R.O. Transcripts.*

London, Westminster, and Southwark to draw up a list of all lodgers within their bounds, and to forbid such lodgers to remove without special leave.[1] The proclamation and the sweeping arrests which followed were received with the greatest indignation in the City, where placards were affixed to the walls declaring the plot to be a mere invention of the Government.[2] Before long there were more than five hundred persons in custody.[3] The first suspicion, however, had fallen on Gerard rather than on Henshaw, and Henshaw took the opportunity to escape to the Continent before any attempt was made to arrest him.[4] Some months later he drew up a vindication of himself, asserting not only that he had had no hand in the plot, but that there had never been a plot at all. It had been invented by a certain person who lived in the Mews, who had received 100*l.* and a yearly pension for his pains. As Henshaw's story was not even completed, it may be supposed that either the writer or those to whom it was communicated thought its falsehood too gross for publication.[5]

Henshaw's escape.

The Government had no wish to indulge in indis-

[1] Proclamation, *Interr.* I, 75, p. 320.

[2] Pauluzzi to Morosini, June $\frac{2}{12}$, *Letter Book R.O.*

[3] Pauluzzi to Morosini, June $\frac{16}{26}$, *ib.*

[4] Bordeaux, evidently alluding to Henshaw, writes, on June $\frac{5}{15}$, that the person who could throw most light on the matter had escaped. A warrant was issued on June 6 (*Rawlinson MSS.* A, 328, fol. 80) for the arrest of Henshaw and Col. Finch. Both were, however, still at large on June 9 (*C. Order Book, Interr.* I, 75, p. 359). There is, indeed, an undated list of conspirators printed in *Thurloe* (ii. 416), at the end of which is a bracket, apparently including the whole number as 'examined.' Mr. Firth, however, to whom I owe the reference to the Rawlinson MSS. in the Bodleian Library, as given above, tells me that in the original MS. of Thurloe's collection the bracket only includes the first twenty names, Henshaw's being the first outside it. It may therefore be taken that neither he nor Finch were captured.

[5] Henshaw's Vindication, Aug. ?, *Clarendon MSS.* ii. No. 1,989.

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Gerard, Vowell, and Fox to be tried.

criminate vengeance, and after a prolonged inquiry selected three of the prisoners for trial: Gerard and Vowell who had irritated their examiners by persistently declaring their entire innocence, and Somerset Fox, who, though acknowledging his guilt, had taken too conspicuous a part in the conspiracy as an organiser of the apprentices to be altogether passed over. Unfortunately for the Protector, it was as hopeless now as it had been in Lilburne's case in the preceding year to expect a condemnatory verdict from a London jury, and he was driven to reconstitute the High Court of Justice.[1] Nor could it be otherwise than damaging to the Government that a member of the court, Justice Atkins, refused to serve on the ground that no man ought to be tried for treason otherwise than by a jury. On June 30, however, the three prisoners, after an attempt to dispute the jurisdiction of the court had been overruled, were convicted of treason and condemned to death.[2] Gerard was beheaded and Vowell hanged on July 10, both of them protesting that they had had no hand whatever in the plot.[3] Fox, as having confessed his guilt, was reprieved, and in the following year, with a few of the other prisoners, was transported to Barbados.[4]

June 23. A High Court of Justice.

June 30. Trial of the prisoners.

July 10. Gerard and Vowell executed.

As the course of the plot was being unrolled, suspicion became in some way or another directed against the Catholics,[5] either as taking an actual part

[1] E, 1,064, 15.

[2] *State Trials*, v. 518. Notes of Commissioner Lisle, *S. P. Dom.* lxxii. A.

[3] Dom Pantaleon Sa was beheaded on the same day.

[4] Warrant, May 18, 1655, *Thurloe*, iii. 453. It seems to have been a case of simple removal to the island; there is nothing in the warrant about enforced service.

[5] A 'papist' woman is said to have introduced one of two soldiers to Hudson, who is said to have been drawn into the plot by them.

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in it or as being supposed to look for their own advantage out of the turmoil which would follow its success. Unluckily, just as the excitement of the discovery was at its height, an old priest named Southworth was captured and condemned to death. Pressure was put upon Oliver by the ambassadors of Catholic States to save his life, but he refused to intervene, and on June 28 Southworth was done to death with the usual barbarous accompaniments.[1] It is possible that this cruel refusal may be to some extent attributed to the shock which the recent conspiracy had given to the Protector's nerves.[2] On the other hand, it may have been the result of legal advice to the effect that the offence of being a priest was treasonable by statute,[3] and therefore excepted by the Instrument from his power of pardon.[4] Happily the penalty of death merely for being a priest was, in this case, exacted for the last time in English history.

Position of the Catholics.

June 28. Execution of a priest.

As far as the Catholic laity was concerned, their position as a body was less unenviable than it had been under the monarchy. It is true that the estates sequestered in the course of the Civil War were kept in hand and the rents gathered to the profit of the Exchequer, but no new indictments for recusancy were allowed since the repeal of the recusancy Acts in 1650,[5] and the Catholics as a whole had, therefore, no reason to regret the establishment of the Protectorate.[6]

Condition of the recusants.

Whether this furnished the ground of suspicion or not, Pauluzzi at least connects Southworth's execution with the conspiracy.

[1] Challoner's *Missionary Priests*, art. 'Southworth'; Pauluzzi to Morosini, $\frac{\text{June } 29}{\text{July } 9}$, *Venetian Transcripts R.O.*

[2] In a despatch of $\frac{\text{June } 29}{\text{July } 9}$ Pauluzzi (*ib.*) writes that the Protector was living 'con dupplicati risservi e timori, et vedendo malvolontieri approssimarsi a lui qualunque sorte di persona.'

[3] By 27 Eliz. cap. 2. [4] See p. 287. [5] See vol. i. 396.

[6] That the sequestrated estates were retained appears from the

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Feeling against France.

Though the discovery of the assassination plot may well have led to some recrudescence of feeling against the Catholics, it was still more likely to stir up hostility against France, especially in those who were aware of Baas's equivocal proceedings. On the night of June 8 a considerable number of Frenchmen were arrested, and on the following day Baas was summoned before the Council to give an account of his intrigue with Naudin. When he made his appearance on the 12th he found himself in the presence of the Protector, as well as of five members of the Council and Secretary Thurloe. To the remonstrances addressed to him he replied that, if he had done amiss it was for his own master to punish him. The 'if' was too much for Oliver, who angrily asked whether it was not amiss to instigate to rebellion and assassination, and to raise factions in the army. In reply to the production of Naudin's confession Baas took a high tone. He had himself been content, he said, to complain in private to his Highness when he found him treating with the Spaniards contrary to the good words he had given to France, sending messengers to turn the Huguenots from their allegiance, and engaging to favour Condé's rebellion. If his Highness or Pickering had now been content to remonstrate with him in private, he would not only have satisfied their

June 8, Arrest of Frenchmen.

June 9. Baas sent for,

June 12. and accused by the Protector.

title, 'Delinquents and Papists,' which constantly appears in all manner of financial summaries. That there were no fresh indictments for recusancy is shown by the Protector's declaration issued on April 26, 1655 (669, f. 19, No. 77), in which he declares that the laws have for some time been executed with laxity, and then directs, not that 'the repealed recusancy Acts' shall be enforced, but that an oath of abjuration of the Pope's authority and the doctrine of transubstantiation, which had been enjoined in an ordinance of Aug. 19, 1643 (*Husband's Collection*, 297), shall be used as a test of 'Popery.'

curiosity, but have obliged them to be grateful for his conduct. He refused, however, distinctly to submit to be interrogated by the Council, or to have his deposition taken like an ordinary prisoner. After some further recrimination the Protector, having first consulted his Council, ordered Baas to leave the country in three days.[1]

Baas ordered out of England.

Nevertheless the Protector's wrath was vented on Baas alone. His relations with Spain had not of late been such as to inspire him with confidence in the resources of that monarchy. On May 25, indeed, he had consented, as far as ready money was concerned, to lower his terms to the payment of 100,000*l.*,[2] though he refused to abate anything of his whole demand. At Brussels, when Cardenas's despatch containing the Protector's offer arrived, the prospect of an alliance with England was received with exultation. Yet the Archduke knew full well how hard it would be for Spain to find even 100,000*l.* The treasure fleet was not due in Spain for some weeks, and its burden, rich as it was, was deeply pledged in advance. In his extremity the Archduke issued a proclamation calling on all loyal subjects in the Low Countries who had money to spare to lend money or plate for the support of a war the only object of which was the re-establishment of peace. "God at last," he announced, "Who is accustomed to act by ways and means inscrutable to men, has raised up a human power that can make the scales incline to the side of peace by putting a finger ever so lightly upon them. This opportunity has now so suddenly

May 25. Oliver's terms forwarded to Brussels.

Difficulty of raising 100,000*l.*

The Archduke calls for a loan.

[1] Baas to Mazarin, June $\frac{15}{25}$, *R.O. Transcripts*. On the same day Bordeaux wrote, admitting the intercourse between Baas and Naudin, but representing Naudin as having first asked for an interview, and Baas as waiting for further instructions before he replies.

[2] Navarro to Cardenas, June $\frac{3}{13}$, *Simancas MSS.* 2,083.

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presented itself that—it being impossible to give information to our lord the King so speedily as the case requires, in order that he may embrace the offer without losing its essence and spirit through the unavoidable delay in sending the absolutely necessary contribution—we should consider that we had failed greatly in our duty if we did not invite all the good vassals and subjects of our Sovereign to provide for a few months by a singular effort as much as is needed for this extraordinary supply, until his Majesty, when he has received information on the subject, can give the requisite orders to employ for this purpose the resources of his kingdoms."[1]

June $\frac{3}{13}$. The Archduke distrusts Oliver,

Personally the Archduke and his ministers were less confident of Oliver's sincerity than appeared on the face of this proclamation. In the letter in which Navarro, the Secretary of the government at Brussels, gave an account to Cardenas of the efforts made to provide the sum required, he instructed him not only to take care that the Protector firmly bound himself to attack France by land in 1655, if he still refused to do more than to employ his fleet against her in the present year, but also informed him that a declaration of war either by proclamation or manifesto was indispensable.[2] Such a demand was not likely to be palatable to Oliver. Nor was the revelation of the desperate condition of the Spanish finances contained in the Archduke's proclamation otherwise than discouraging. If the government of the Low Countries was unable to raise 100,000*l.* without throwing itself on the benevolence of its subjects, what chance was

and demands further engagements.

Revelation of financial distress in the Low Countries.

[1] *Edict touchant le prest à faire pour les necessités de l'estat, et l'advancement de la paix*, June $\frac{1}{11}$. The pressmark of the copy in the British Museum is 107, g. 5, No. 22.

[2] Navarro to Cardenas, June $\frac{3}{13}$, *Simancas MSS.* 2,083.

there that either the Archduke or his master would be able to provide the far larger sums which would be eventually required of them?[1] The improbability was all the greater, because it became known that the Genoese, who had long acted as the bankers of the King of Spain, had declined to advance him any further supplies of money.[2]

June 15. Oliver asks for Dunkirk as a pledge for the eventual delivery of Calais.

The financial helplessness of the Spanish monarchy provoked Oliver to fresh demands. He asked Cardenas how he could be assured that the eventual payment of 240,000*l.* a year would in reality be made? Parliament was about to meet, and to it he was bound to render an account. On a request from the ambassador that he should himself specify the security, he replied that, in view of the projected siege of Calais and of its surrender to himself as soon as it was taken, he should expect Dunkirk to be placed in his hands at once. If that were done he would give his word to restore it as soon as Calais was taken and given to him in exchange.[3] Is it hazardous to conjecture that

[1] This feeling is attributed to Oliver in a despatch from the Nuncio at Brussels to Chigi, written on July $\frac{8}{18}$, *Vatican Archives, Nunziatura di Fiandra*, vol. 38. Mazerolles expresses himself quite plainly on the subject: "Je me suis resolu à partir après avoir perdu l'esperance de pouvoir faire présentement icy quelque chose, fondé sur le peu de dispositions que j'ay veu à M. le Protecteur et sur l'impuissance de l'ambassadeur d'Espagne, qui n'a pas un sol, sans quoy on ne peut rien faire, cet imprimé faict en Flandres n'ayant si fort descrié les affaires des Espagnols et leur manière d'agir, qu'on ne traicteroit rien sur leur parole." Mazerolles to Condé, July $\frac{4}{14}$, *Chantilly Transcripts*.

[2] Consulta, $\frac{\text{June } 29}{\text{July } 9}$, *Simancas MSS.* 2,083. The Spanish Council of State acknowledges that it could send no money 'falta de medios.'

[3] He was to help to take Calais 'dandole alguna prenda de que en rindiendola se la pondriamos en sus manos, y que esta prenda seria entregarle Dunquerque con obligacion y palabra de que restituyria esta plaza en dandole a Cales si se ganasse.' Consulta in Cardenas's despatches of June $\frac{19}{29}$, $\frac{\text{June } 26}{\text{July } 6}$, *Simancas MSS.* 2,083. Barrière, writing to Condé on June $\frac{16}{26}$, speaks of Cardenas's audience being on June $\frac{15}{25}$,

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Oliver had little expectation of being taken at his word? For the present, at least, his attitude was far from friendly to Spain. To a request of Cardenas that he would at least allow his master to hire ships and men in England, Oliver appeared to listen favourably, but postponed his answer to the 19th.[1]

Oliver resolves to apply to Bordeaux.

June 17. Proposals of two commissioners.

What Oliver required was a respite to enable him to ascertain from Bordeaux the chance of a French alliance. On the 17th, but five days after his stern dismissal of Baas, two of the commissioners appointed to treat on French affairs had an interview with the ambassador. They told him that the interest of the Government might oblige the Protector to find occupation for his troops, which would lead to great expense. Yet the people of England were exhausted by heavy taxation, and it was therefore necessary to seek financial assistance outside the country. Spain, indeed, had offered a notable contribution, and though some considerations, especially those relating to religion, might give reason to prefer an alliance with France, nevertheless as his Highness was unable to do without a considerable subvention, it was to be feared that he would lean to the side of the enemies of France. Having thus done their best to show the danger of alienating the Protector, and having made some inquiries as to the amount which France was ready to contribute, the commissioners left on the understanding that the discussion should be resumed on the following day.

On the 18th the conversation turned on the

and says that Oliver told the ambassador that he could not declare war at the moment 'et que quand il voudroit la desclarer ce seroit avec l'appareil qu'il avoit propose et que pour cela les sommes qu'on luy avoit offertes n'estoyent suffisantes.' *Chantilly Transcripts.* Cardenas evidently did not inform Barrière about the demand for the surrender of Dunkirk.

[1] *Ib.*

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siege of that very Dunkirk which Oliver had demanded from Cardenas only three days before. An English fleet, it was asked by the English commissioners, should attack the place by sea and a French army by land. When captured it was to be placed in the hands of the Protector, not indeed absolutely, but as a security for the payment of the annual contributions which France was expected to make. At first the commissioners fixed the amount at 400,000*l.*, lowering their terms after a while to 150,000*l.* for the current season, and 200,000*l.* for each subsequent year. Bordeaux, on the other hand, offered 75,000*l.* for the first year, on account of the expense which would be entailed on his master by the siege, and an annual payment of 150,000*l.* in future. Nothing was at this time settled, but before the conference broke up the Englishmen added a demand for the exclusion of Charles and the Duke of York from French territory.

June 18. A talk on the siege of Dunkirk

On the 19th Oliver addressed himself to the King of France, announcing his resolution to continue the negotiation in spite of the misconduct of Baas,[1] and on the same day the English commissioners made fresh proposals. They asked that as long as Dunkirk remained untaken a French port should be placed in English hands by way of security, and gave Bordeaux to understand that the place aimed at was Brest. Some such acquisition, the commissioners explained, would be necessary to give popularity to a war with Spain. On the 22nd Bordeaux was admitted to a conference with the Protector himself. Beginning by magnifying the obedience of England and Ireland, and the submission of Scotland with the exception of a few malcontents, Oliver urged

June 19. Fresh proposals.

June 22. Oliver tries to win Bordeaux.

[1] The Protector to Louis XIV., June $\frac{19}{29}$, *Guizot*, ii. App. i. 2.

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the ambassador to comply with the request of the commissioners; and when Bordeaux rejected the idea of surrendering Brest, asked him what else he had to propose. Failing to extract an answer he put an end to the interview.[1]

July. Oliver tending to an understanding with France.

For some weeks the two negotiations hung in suspense, and the prospects of Spain were evidently sinking in the balance. It is true that no answer had yet been returned from Madrid on the proposal for a temporary cession of Dunkirk, as the Spanish Council of State did not reject it till August 14, but there could be little doubt what its decision would be, and long before it was given Oliver had thrown off even the pretence of sympathy with Spain. Early in July he declined to have anything to do with the loan of ships for Condé's service.[2] Yet in treating with France he remained anxious about the Huguenots, and pleaded with Bordeaux for the insertion in the treaty, of which a draft was now laid before the French ambassador, some engagement for their better treatment. Bordeaux peremptorily refused to bind his master by any such promise, and he equally took offence at a demand for a renunciation of the French doctrine, that neutral ships carrying enemies' goods were lawfully subject to capture.[3] So far as the Huguenots were concerned, it is probable that the return of Stouppe, who made his report to the Council on July 12,[4] helped to smooth difficulties away, as no hopes that the French Protestants of Languedoc would rise at the bidding of England

July 12. Stouppe's report.

[1] Bordeaux to Brienne, $\frac{\text{June } 22}{\text{July } 2}$, *R.O. Transcripts.*

[2] Barrière to Condé, July $\frac{7}{17}$, *Chantilly Transcripts.*

[3] Bordeaux to Mazarin, July $\frac{6}{16}$; Bordeaux to Brienne, July $\frac{6}{16}$; *R.O. Transcripts.* This was the French law of prize, though it was seldom, if ever, put in force at this time.

[4] Bordeaux to Brienne, July $\frac{13}{23}$, *ib.*

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could any longer be entertained. For some weeks to come the negotiation slowly but satisfactorily advanced, especially as Bordeaux gave Oliver to understand that though his master would never bind himself to do anything for the Huguenots, any intercession addressed to him on their behalf would not fall upon deaf ears if only the treaty were signed.[1] In that treaty, indeed, the proposed alliance against Spain found no place. Oliver had at last made up his mind to hold aloof from the contest in Europe, and to be content with a commercial and maritime understanding with France which would open French ports to English trade. It was already resolved that Blake should take a considerable force into the Mediterranean, where his presence would shelter English shipping against attacks similar to those which had brought on the maritime troubles of the last few years.

Progress of the negotiation.

The project of a European war against Spain dropped.

Might it not have been possible to deal with the Spanish negotiation in the same way? For some time the commissioners appointed to treat with Cardenas had been at work on a commercial treaty with the good wishes of the English mercantile community. At the outset, however, two thorny questions presented themselves for discussion. In the first place there was the difficulty about the Inquisition. The English commissioners pressed for that openly acknowledged liberty of worship in private houses which had been vainly asked for by the Long Parliament,[2] and had been now conceded by the King

The commercial treaty with Spain discussed.

Question of liberty of worship.

[1] Bordeaux to Brienne, $\frac{\text{July } 27}{\text{Aug. } 6}$, *R.O. Transcripts*. A draft treaty, dated $\frac{\text{July } 26}{\text{Aug. } 5}$, is printed in *Guizot*, ii. App. viii. 5. As Article xxviii. establishes the French law of prize, it cannot possibly have come from an English source; and as there is no hint in Bordeaux's despatches of his having prepared such a draft, it may be taken as a mere sketch prepared by one of Mazarin's secretaries.

[2] See p. 184.

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of Portugal. On the other hand Cardenas was ready to renew the article accorded to Charles I. in 1630,[1] exempting Englishmen on Spanish soil from molestation by the Inquisition as long as they gave no scandal. Practically, for some time past, the Inquisition had not meddled with a single Englishman.[2] The second question related to traffic in the West Indies. Though the treaty of 1630 had proclaimed peace throughout all the dominions of the two kings, and had ordained that neither party should in any of those dominions do violence to the other,[3] it was notorious that the Spanish authorities in the Indies had taken the view that the whole of America was the property of their master, and had not only made seizure of English ships trading with English West India colonies, but had raided the colonies themselves where the settlers were not sufficiently strong to offer resistance. In or about 1650 a party of Spaniards from Porto Rico surprised Santa Cruz, held by English conjointly with Dutch settlers, and slew the governor and a hundred settlers.[4] Between 1650 and 1653 four ships had been confiscated, and the crews of two of them compelled to work as slaves on the fortifications of Havanna.[5]

Question of trade in the West Indies.

Oliver's demands.

Oliver, who had either not found it convenient to make complaint earlier, or had trusted to the pro-

[1] The secret articles of 1604, prolonged in 1630, are given in *Winwood*, ii. 29.

[2] In his manifesto of October 1655, Oliver does not give a single instance of persecution. All he says is: "De Inquisitione Hispanicâ sanguinariâ nihil dicimus, inimicitiarum causâ universis Protestantibus communi." *Scriptum Dom. Protectoris*, p. 38, E, 859, 2.

[3] Dumont, *Corps Universelle Diplomatique*, V. ii. 621.

[4] *Scriptum Dom. Protectoris*, p. 27, E, 829, 2.

[5] *Ib.* pp. 28–30. In 1634 the English in Tortuga had been treated as those of Santa Cruz were sixteen years later.

posed alliance with Spain to render such violence impossible in the future, now resolved to demand a redress of grievances from Cardenas. Two things, he told the ambassador, must be granted if there was to be friendship between Spain and England—liberty of conscience for Englishmen in the Spanish dominions, and freedom of trade in the West Indies. Cardenas would hear nothing of so rough a summons. "It is," he replied, "to ask my master's two eyes."[1]

Project of a war confined to the West Indies

As far as Oliver himself was concerned the way was now cleared. If the Huguenots were safe and there was no call upon him to make war in France, a war with Spain confined to the West Indies would satisfy his own religious emotions, and would vindicate the claims of England to reparation for the slaughter of her colonists and the confiscation of her ships. If it brought treasure to a Protector in sore financial straits he would hardly think the worse of it for that. The long months of hesitation had come to an end at last. Yet the strangest side of the whole matter is that Oliver should have imagined

[1] The story is told in Oliver's speech at the opening of his second Parliament (*Carlyle*, Speech V.), without any date. It was, however, partially told in a suppressed passage of the speech at the opening of the first Parliament on September 3, 1654, as we learn from Bordeaux's despatch of Sept. $\frac{3}{13}$, the whole story being told by the same writer on $\frac{\text{Sept. } 21}{\text{Oct. } 1}$. Thurloe, in a paper on the foreign policy of the Protector (*Thurloe*, i. 759), puts it as the result of the negotiation on the commercial treaty, and it must almost certainly be dated before Aug. 18, for reasons which will soon appear. Altogether the conversation may be placed, with a high degree of probability, either in the last fortnight of July or the first fortnight of August. "Then," writes Thurloe on another occasion, "it came into debate before Oliver and his Council, with which of these crowns an alliance was to be chosen. Oliver himself was for a war with Spain, at least in the West Indies, if satisfaction were not given for the past damages, and things well settled for the future." *Ib.* i. 761.

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it possible to confine the war to the Indies. The only possible explanation is that his mind was steeped in the Elizabethan tradition, and that he fancied that the fleet of an established government could repeat the exploits of the Drakes and Raleighs of former days. For him the doctrine that there was no peace beyond the line was still living, and he fancied that Philip would permit English merchants to enter Spanish harbours in all amity for purposes of trade, whilst an English fleet was capturing Spanish prizes and assailing Spanish ports in the Indies.

Aug. 18. News from Arras.

For some little time, however, no effect was given to Oliver's resolution, probably because it was a work of some difficulty to bring the Council into line with himself. At last news arrived from the seat of war in the North of France which was enough to convince the waverers that Spain was on the losing side. During the last few weeks a duel between the two monarchies was being fought out on the Flemish frontier. On the French side was the genius of Turenne; on the Spanish, Condé, the only general capable of making head against him, was subordinated to the inefficient Fuensaldaña, and to the still more inefficient Archduke Leopold who, on this occasion, took the field in person. At the opening of the campaign Turenne invested Stenay, whilst the Archduke invested Arras. Stenay capitulated to the French on July 17, setting Turenne free to march to the deliverance of Arras. On August 14 he broke through the Spanish lines and put an end to the siege. But for the skill and vigour of Condé the Spanish army would hardly have escaped destruction.[1]

War on the Flemish frontier.

July $\frac{17}{27}$. Capitulation of Stenay.

Aug. $\frac{14}{24}$. Relief of Arras.

The effect of the blow was instantaneously felt at

[1] The Duke of Aumâle's *Hist. des Princes de Condé*, vi. 396–414.

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Aug. 18. Commissioners appointed to prepare an attack on the West Indies.

Westminster. On August 18, the very day on which the news arrived, a commission was issued to certain persons, of whom Penn and Venables, who were marked out respectively for the naval and military commands of the projected expedition, were the first named, directing them to consult on the best means for assailing the Spanish power in the West Indies.[1] In the case of officials concerned in the matter there was to be no longer any concealment. In June the object of the fleet, of which Penn was ultimately appointed the commander, had been specified as 'The Western Design,'[2] a phrase equally applicable to an attack on Bordeaux or an attack on San Domingo. In August, at least in confidential documents, no ambiguity remained.

The secret to be kept

Whatever might be revealed to officials, every possible care was taken to shroud the project from the public gaze. No means were neglected which might lull Spain into security, and rumours were designedly spread that Penn's squadron was intended to support Holland against the other six provinces which were enraged by her exclusion of the Prince of Orange.[3] War was to be made, not after the usual methods of a great power openly seeking redress of

A sorry spectacle.

[1] "Whereas we have, by advice of our Council, resolved, with all convenient speed, to send into America a squadron of ships of war, consisting of fourteen, and several other ships of burthen, to carry provisions and necessaries . . . and to send with the said ships three thousand soldiers in regiments and one hundred horse, and with the said forces to attack the Spanish both by sea and land in those parts; who hath inhumanly murdered divers of our people there, taken away their possessions, and doth exercise all acts of hostility against them as open enemies, and hath several other ways given just cause to this State to take and prosecute the aforesaid resolutions," &c. Instructions to Penn and others, Aug. 18, *Stowe MSS.* 185, fol. 83.

[2] Proceedings in Council, June 5, *S. P. Dom.* lxxii. 10.

[3] Salvetti's Newsletter, Aug. $\frac{18}{28}$, *Add. MSS.* 27,962, O. fol. 304.

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grievances, but after the fashion of a midnight conspirator. No doubt Oliver might imagine that he was merely authorising reprisals for attacks on commerce, as the Commonwealth had authorised reprisals against France for injuries inflicted on English trade. Yet, after all is said, the deliberate concealment of warlike preparations against a State to which Oliver had but three months before proffered an active military alliance, an offer which had as yet never been retracted, was, at the best, a sorry spectacle.

Progress of the French treaty.

Reticent as Oliver was with regard to the West Indian expedition, there was no reticence on the subject of the French negotiation. Parliament was to meet on September 3, and the Protector was anxious to announce to it the conclusion of the maritime strife. Now that he had ceased to ask for a formal guarantee for the toleration of the Huguenots or for an admission of the injustice of the French prize law, all that remained for consideration was the list of Englishmen to be expelled from France. As it had all along been taken for granted that Henrietta Maria, as the young king's aunt, should be unmolested, all else seemed easy of adjustment. Yet at the last moment, on September 2, difficulties arose. Premising that his master would banish those whose names were agreed on as soon as the treaty had been signed, Bordeaux asked that none of the Queen's domestics should be dismissed, that the Duke of Gloucester might remain in France as being too young to be dangerous, and that no officer in the actual employment of the King of France should be sent across the frontiers. This the English commissioners demurred to on the ground that the Duke of York fell under the last category, and that they had

Difficulties in the way.

no security against any obnoxious person being taken into the Queen's domestic service before the time arrived for the fulfilment of the engagement.[1] It was necessary for the ambassador to seek fresh instructions, and Oliver was therefore compelled to meet Parliament without any indication that the troubles with France had been brought to an end, whilst his attitude towards Spain, if touched on at all, must necessarily be veiled in a thick cloud of mystery.

Oliver's vacillations.

Thus far a study of foreign policy of the Protectorate reveals a distracting maze of fluctuations. Oliver is seen alternately courting France and Spain, constant only in inconstancy. It is, indeed, more than probable that, if the discussions at the Council table had been even partially handed down to us, we should be able to attribute some of these vacillations to the difficulty—far more real than modern writers imagine—of securing the support of that majority of the Councillors to whom *The Instrument of Government* gave the decisive voice. Yet, after all allowance made on this score, much remains which can only be accounted for by Oliver's own changeableness. He had embarked on foreign politics as upon an unknown sea, in which it was hard for him to find his bearings, and still harder to direct his course aright. In such case he was liable to be turned aside by sentiment or prejudice rather than to pursue a definite line of conduct from well-considered motives.

His mind set upon war with Spain.

Nevertheless an attentive consideration of Oliver's variations leads to the conclusion that the desire to attack Spain was the dominant note in his mind. Towards the end of 1651 his leanings appeared in

[1] Bordeaux to Brienne, Sept. $\frac{3}{13}$, *R.O. Transcripts.*

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the negotiation he opened with France for the cession of Dunkirk. In the summer of 1653 he showed that he still retained the same feeling in the passionate outburst in which he pleaded with the Dutch ambassadors for their co-operation in the conquest of Spanish America. From time to time indeed he turned to Spain, but it was when he imagined himself to have reason to believe that the French Government was purposing to oppress the Huguenots, and to connive, if not to do more than connive, at a Stuart restoration in England. It was, indeed, a necessity of his nature to convince himself that whatever he did was done for the good of religion, and now that the danger of the French Protestants was seen to be imaginary, he was able to regard the attack on the Spanish West Indies as being in some way or other an attack on the Pope and the Inquisition.

For all that, it is not for any injury done to the Pope or the Inquisition that the Cromwellian maritime war owes its place in history. Later generations have seen in it no religious achievement—it is doubtful whether a single Protestant was the better for it—but the beginning of the prolonged effort by which England's empire beyond the seas was built up. The scattered colonies, the few West India Islands exposed to Spanish attack, and the few settlements along the Atlantic coast of the mainland, were to be bound together in a wider dominion by the acquisition of a mastery of the seas reaching far beyond that sovereignty hitherto claimed over the waters encircling our own island.

Moral and material aims.

That the control of the sea should belong to England and not to Spain was the object for which these men of the seventeenth century were in reality

striving, and it was on this material side of the conflict that the eyes of those men were mainly fixed. To bring home treasure to England, and to extend the sway of their country over fertile islands was much more in their thoughts than the idea of extending orderly government or the virtues of freemen, to say nothing of the spiritual ecstasies of Puritanism.

A turning point with Oliver and the Commonwealth.

It is this predominance of material interest which made the resolution to send a fleet to the West Indies a turning point with Oliver, and even with the Commonwealth itself. In opposition to the futile oppression of Charles and Laud, the Puritan spirit had soared high. The inevitable time of reaction arrived, and it came, as it ever does, with slow but increasingly emphatic steps. The return of the mundane spirit announced itself in the Dutch war, in the break-up of the nominated Parliament, and now—more distinctly still—in the attack on the West Indies. What is yet more noteworthy is that the attitude of Oliver himself towards these changes is gradually modified. He opposes the Dutch war, he accepts the abdication of the nominated Parliament, and he urges on the mission of the fleet. It cannot be denied without the gravest injustice that the Puritan spirit is still strong within him; but he has now given the first place to mundane endeavour. If the Restoration is to be regarded, not as a mere change of the forms of government, but as a return to a mode of thought anterior to Puritanism, it may fairly be said that the spirit of the Restoration had at last effected a lodgment within the bosom of Oliver himself.

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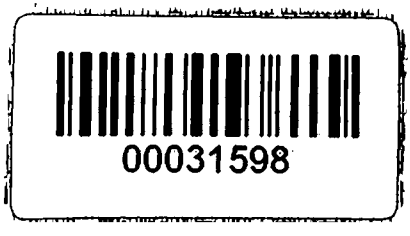
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